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REG. 173
KF36

By Exchange of
Duplicates.
8 Dec., 1880.

6216.11
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Dup. 6347. 5

MUNICIPAL REGISTER

OF THE

CITY OF LAWRENCE, Mass.

1870.

Printed by Authority of the City Council.

LAWRENCE:
Printed at Sentinel Office, No. 245 Essex Street.
1870.

REG, 173

DEC 8 1880

By exchg. of dupl.

CITY OF LAWRENCE.

IN COMMON COUNCIL,
JAN. 19th, 1870.

ORDERED, That the City Clerk and Mayor be instructed to prepare and have printed a Municipal Register, and that the expense thereof be charged to the Incidental Department.

Adopted.

E. B. OSGOOD, CLERK.

IN BOARD OF ALDERMEN,
JAN. 20th, 1870.

Adopted in concurrence.

GEO. R. ROWE, CITY CLERK.

RULES AND ORDERS.

Rules of the Board of Aldermen.

ART. I.—The order of business shall be as follows:

1. The journal of the previous meeting shall be read.

2. Petitions shall next be called for, and be disposed of by reference or otherwise, and also new business may be introduced by any member of the Board.

3. Such nominations, appointments and elections as may be in order, shall be considered and disposed of.

4. The orders of the day shall be taken up; meaning by the orders of the day, the business remaining unfinished at the previous meeting, and such communications as may have been subsequently sent up from the Common Council.

ART. II.—Every ordinance shall pass through the following stages before it shall be considered as having received the final action of the Board, viz.: first reading, second reading, passage to be enrolled, passage to be ordained; and every joint resolution shall have two several readings before the question shall be taken on its final passage.

ART. III.—An ordinance, resolution, or order, imposing penalties, may be rejected at either stage of its progress; but shall not pass through all its stages in one day, except by a suspension of this article.

ART. IV.—Standing Committees shall be appointed as follows, viz.: On Police, on Sewars, on Elections, on Licenses, on Enrolled Bills. The first two committees to consist of the Mayor and two Aldermen; each of the others of three Aldermen.

ART. V.—All committees shall be appointed and announced by the Mayor, unless the Board shall determine otherwise.

ART. VI.—The above rules and order of business shall be observed in all cases, unless suspended by a vote of two-thirds of the members present, for specific purposes.

Joint Rules and Orders.

ART. 1.—At the commencement of the municipal year, the following joint standing committees shall be appointed by the respective Boards, unless otherwise ordered, viz.:

On Finance—To consist of the Mayor, one Alderman, the President and four members of the Common Council.

On Accounts—To consist of two Aldermen and three members of the Common Council.

On Public Property—To consist of the Mayor, two Aldermen and three members of the Common Council.

On Streets—To consist of the Mayor, two Aldermen, and five members of the Common Council.

On Fire Department—To consist of two Aldermen and five members of the Common Council.

On Printing—To consist of one Aldermen and two members of the Common Council.

On Ordinances—To consist of the Mayor and two members of the Common Council.

On Military and Armories—To consist of the Mayor, two Aldermen, and five members of the Common Council.

On Sewers—To consist of the Mayor, three Aldermen, and two members of the Common Council.

On Claims—To consist of the Mayor, one Alderman, and three members of the Common Council.

On Shade Trees—To consist of the Mayor, two Aldermen and three members of the Common Council.

ART. 2.—On all joint committees wherein it is provided that the Mayor shall be a member, in case of the non-election, decease, inability, or absence of that officer, the President of the Common Council, if a member, shall act as chairman; but if the President of the Common Council is not a member, or is absent, then the chairman of the Board of Aldermen shall act *ex-officio*. The member of the Board of Aldermen first named on every joint committee of which the Mayor is not a member, shall be its chairman; and in case of his resignation or inability, the other members of the same board in the order in which they are named; and after them the member of the Common Council first in order, shall call meetings of the committee and act as chairman.

ART. 3.—In any case of disagreement between the two branches of the City Council, either board may request a conference, and appoint a committee of conference; and the other board shall also appoint a committee to confer. Such committees shall, at a convenient hour to be agreed upon by their chairmen, meet and state to each

other verbally, or in writing, as either shall choose, the reasons of their respective boards for or against the matter in controversy, confer freely thereon, and report to their respective branches.

ART. 4.—Either board may propose to the other for its concurrence, a time to which both boards shall adjourn; and when both boards are in session at the same time, neither shall adjourn without giving notice to the other.

ART. 5.—In all votes, when either or both branches of the City Council express anything by way of command, the form of expression shall be "ORDERED;" and whenever either or both branches express opinions, principles, facts or purposes, the form shall be "RESOLVED;" *provided*, however, that the appropriation of money, to any amount exceeding fifty dollars, shall be by resolution.

ART. 6.—No committee shall act by separate consultation, and no report shall be received unless agreed to in committee actually assembled.

ART. 7.—Every joint special committee shall report within four weeks from the time of their appointment, or ask further time.

ART. 8.—The reports of committees, whether by resolve, ordinance, or otherwise, shall be made to the board in which the business originated.

ART. 9.—All reports and other papers, submitted to the City Council, shall be written in a fair hand; and no report or indorsement of any kind shall be made on the memorials or other papers referred to the committees of either branch; and the clerk

shall make copies of any papers to be reported by committees, at the request of the respective chairmen thereof.

ART. 10.—No business shall be transacted by the City Council in convention, except such as shall have been previously agreed upon, unless by unanimous consent.

ART. 11.—After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by a special transfer from some of the appropriations contained in the annual resolutions, or from the unappropriated funds in the hands of the City Treasurer, or by expressly creating therefor a city debt; but no such debt shall be created, unless the resolution authorizing the same, pass by the affirmative votes of two-thirds of the whole number of each branch of the City Council, voting by yeas and nays.

ART. 12.—Every joint resolution shall have as many readings in each board as the rules of each board require, after which the question shall be on passing the same; and when the same shall have been passed, it shall be sent to the other board for concurrence; and when such resolution shall have been passed by each board, the same shall be enrolled by the City Clerk, or Clerk of the Common Council, and examined by a committee of the Common Council; and, on being found correctly enrolled, without further reading or question, shall be signed by the President of the Common Coun-

cil, and sent to the other board, where a like examination shall be made by a committee of that board; and if found correctly enrolled shall be signed by the Mayor.

ART. 13.—Every ordinance shall have as many readings in each board as the rules of each board require, after which the question shall be on passing the same to be enrolled, and it shall be sent to the other board for concurrence; and when such ordinance shall have passed to be enrolled in each board, the same shall be enrolled by the City Clerk, or Clerk of the Common Council, and examined by a committee of the Common Council; and on being found by said committee to be correctly enrolled, the same shall be reported to the council, when the question shall be on passing the same to be ordained; and when said ordinance shall have so passed to be ordained, it shall be signed by the President of the Common Council and sent to the other board, where a like examination shall be made by a committee of that board; and if found to be correctly enrolled, the same shall be reported to the board, and the question shall be on passing the same to be ordained; and when the same shall have passed to be ordained, it shall be signed by the Mayor.

ART. 14.—No enrolled ordinance or resolution shall be amended.

ART. 15.—No chairman of any committee shall audit or approve any bill or account against the

city, for supplies or services which shall not have been ordered or authorized by the committee.

ART. 16.—Joint standing committees shall cause records to be kept of their proceedings, in books provided by the city for that purpose.

ART. 17.—No vote by which an order, resolve, or ordinance, has been passed to its final stage, shall be reconsidered in either board, after the same has been finally acted upon in the other board, unless the motion for reconsideration be made, or notice given, at the same meeting at which the vote to be reconsidered passed; and when any order, resolve, or ordinance shall have been rejected, no other substantially the same, shall be introduced by any committee or member, during the municipal year, without the consent of two-thirds of the members present.

ART. 18.—When either board shall not concur in any action of the other, notice of such non-concurrence shall be given by written message.

ART. 19.—All messages between the two boards shall be drawn up by their respective clerks, and transmitted by them or through the messenger.

Rules and Orders---Common Council.

DUTIES OF THE PRESIDENT.

ART. 1.—The President shall take the chair at the hour to which the council may have adjourned, or have been called together; he shall call the members to order, and on the appearance of a quorum, proceed to business.

ART. 2.—In the absence of the President, the senior member present shall call the council to order, and preside until a president *pro tempore* shall be chosen by ballot. If no member shall receive a majority of votes on the first ballot, upon the second a plurality shall elect.

ART. 3.—He shall also preserve order and decorum; he may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the council, on the motion of any member regularly seconded.

ART. 4.—He shall decide all votes; but if any member doubt the vote, the President, without further debate, shall require the members voting in the affirmative and negative to rise and stand until they are counted, and shall then declare the result.

ART. 5.—He shall rise to address the council or to put a question, but may read sitting.

ART. 6.—The President may call any member to the chair, who may preside for one meeting. When the council shall decide to go into committee of the whole, the President shall appoint the chairman. The President may only express his opinion on any subject under debate by leaving the chair, and appointing a member to take it; and in such case he shall not resume the chair while the question is pending, provided the same be taken previous to adjournment. But the President may state facts and give his opinion on questions of order without leaving his place.

ART. 7.—He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and fixing time to fill blanks, the largest sum and the longest time shall be put first.

ART. 8.—When a question is under debate, the President shall receive no motion but

To adjourn,
To lay on the table,
For the previous question,
To postpone to a certain day,
To commit,
To amend,
To postpone indefinitely,

which several motions shall have precedence in the order in which they are arranged.

ART. 9.—The motion to adjourn, when to adjourn simply, the motion to lay on, or take from the table, for the previous question, and for the yeas and nays, shall be decided without debate.

ART. 10.—He shall put the previous question in the following form: "*Shall the main question be now put?*" and all debate upon the main question and pending amendments, shall be suspended until the previous question shall be decided. After the adoption of the previous question, the sense of the council shall forthwith be taken upon pending amendments in their regular order, and then upon the main question.

ART. 11.—All incidental questions of order, arising after a motion is made for the previous question, shall be decided without debate, except on an appeal; and on such an appeal no member shall be allowed to speak more than once without leave of the council.

ART. 12.—When two or more members happen to rise at once, the President shall name the member who is first to speak.

ART. 13.—During debate, if objection be made thereto, no member shall speak more than twice to the same question without leave of the council, nor more than once until all other members choosing to speak shall have spoken.

ART. 14.—Every motion shall be reduced to writing, if requested by the President or any member of the council.

ART. 15.—All committees shall be appointed

and announced by the President, unless otherwise provided for, or especially directed by the council.

ART. 16.—In all cases the President may vote.

RIGHTS AND DUTIES OF MEMBERS.

ART. 17.—At every regular meeting of the council, the order of business shall be as follows, viz.:

1. Calling the roll of members.
2. Reading the records.
3. Papers from the board of Mayor and Aldermen.
4. Unfinished business of preceding meetings.
5. Communications and reports from city officers; presentation of petitions, remonstrances and memorials.
6. Reports of committees.
7. Motions, orders, or resolutions.

And the above order shall not be departed from but by a vote of the majority of the council present.

ART. 18.—When a member is about to speak in debate, or deliver any matter to the council, he shall rise in his place, and respectfully address the presiding officer; shall confine himself to the question under debate, and avoid personality. He shall sit down as soon as he is done speaking; and no motion shall be entertained, unless made by a member rising in his place and addressing the President.

ART. 19.—No member in debate shall mention

another member by name, but may describe him by some designation intelligible but respectful.

ART. 20.—No member speaking shall be interrupted by another, but by rising to call to order. When a member is called to order he shall immediately sit down, unless permitted to explain; and the council, if appealed to, shall decide on the case without debate; and if the decision is against the member, he shall not be permitted to speak, unless by way of excuse for the same, until he has made satisfaction.

ART. 21.—The vote on all questions shall be taken by yeas and nays, when one-third of the members present are in favor of it.

ART. 22.—Any member may require the division of a question when the sense will admit of it.

ART. 23.—When a vote has passed it shall be in order for any member who voted in the *majority*, to move a reconsideration thereof at the same or the succeeding meeting, but not afterward; and when a motion for reconsideration is decided that vote shall not be reconsidered.

ART. 24.—No rule or order of the council shall be suspended unless three-fourths of the members present shall consent thereto; nor shall any rule or order be repealed or amended without giving notice thereof at the preceding meeting, nor unless a majority of the members present shall concur therein.

ART. 25.—Every member shall take notice of the day and the hour to which the council stands adjourned, and shall give his punctual attendance accordingly.

ART. 26.—The reading of any paper when objected to, shall be determined by a vote of the council.

ART. 27.—The seats of the Common Council board shall be numbered and determined by lot; and no member shall change his seat but by permission of the President.

ART. 28.—No member shall be allowed to vote, or serve on any committee, on any question where his private right is concerned, distinct from the public interest.

ART. 29.—The members of the council shall not leave their places on adjournment until the President shall declare the council adjourned.

ART. 30.—All salaried officers shall be voted for by written ballots.

ART. 31.—All memorials and other papers addressed to the council, shall be presented by the President, or by a member in his place, who shall explain the subject thereof, and they shall be disposed of in the order in which they were presented, unless the council shall otherwise direct.

ART. 32.—Standing committees shall be appointed on the following subjects, viz.: on elections, on bills in second reading, on enrolled bills; each to consist of three members.

ART. 33.—It shall be the duty of the committee on bills in the second reading to carefully examine all bills which shall pass to the second reading, to see that they are in technical form, and that their provisions are not repugnant to the laws and constitution of the Commonwealth, or to the charter and ordinances of the city.

ART. 34.—Ordinances, resolutions, and all orders imposing penalties, shall have two several readings before they shall be finally passed by the council; and no ordinance, resolution, or such order, shall have more than one reading the same day, except under a suspension of this article.

ART. 35.—No committee shall sit during any meeting of the council without special leave.

DUTIES OF CLERK, ETC.

ART. 36.—The clerk shall keep minutes of the votes and proceedings of the council, enter thereon such orders and resolutions as are adopted; shall notice reports, petitions, memorials, and other papers which are presented, and shall enter all accepted reports of select committees of the council, at length, in a separate journal to be kept for that purpose, and provided with an index; shall furnish the chairman of every committee with the names of the members comprising the same, and shall attend the meetings of the committees of the council, and make their records, when required.

ART. 37.—The rules of parliamentary practice comprised in Cushing's Manual shall govern this council in all cases to which they are applicable, and in which they are not inconsistent with the foregoing rules and orders, or the joint rules and orders of the City Council.

MODE OF APPOINTING CITY OFFICERS.

By Mayor and Aldermen.—City Marshal and Assistants, Constables, Police Officers, Engineers; Liquor Agent, City Crier, Committee to Complain of Truants, Inspector of Milk.

In Convention.—City Clerk, Treasurer and Collector of Taxes, Assessors, Street Commissioner, Overseers of Poor, Auditor of Accounts.

By Concurrent Vote.—To be first elected by the Mayor and Aldermen: City Messenger, Measurers of Lumber, Wood and Bark, Plastering and Painting, Brick and Stone; Sealer of Weights and Measures; of Leather; Field Drivers; Pound Keepers; Fence Viewers.

By Concurrent Vote.—Either branch first electing: City Physician and City Solicitor.

By Overseers of Poor.—Keeper of Almshouse.

By Board of Health.—Superintendent of Cemetery.

By School Committee—Superintendent of Schools

CITY CHARTER.

Revised City Charter.

SECT. 1.—Lawrence to be a city.

SECT. 2. — Administration, — in whom vested. Quorum of City Council.

No compensation.

SECT. 3.—Division of City into Wards.

How and when revised.

SECT. 4.—Annual municipal election.

Ward officers and their duties. Oaths of office.

General or ward meetings.

SECT. 5.—Election, qualification, and term of office of Mayor, Aldermen and Ward officers.

SECT. 6. — Proceedings at elections.

Votes, how counted. Certificates of election. In case of non-election.

Examination of returns; Notifications. Vacancies, how filled.

Annual organization of City Council; if no Mayor is chosen; Mayor, *pro tem.*

Records.

SECT. 7.—Duties of Mayor, and compensation; special meetings, how called.

SECT. 8.—Executive power and police. Appointments and bonds. Powers of City Council. Various officers.

Sittings of City Council public. Custody of City property. Annual report.

SECT. 9.—Mayor's power to nominate. Ineligibility to office of members of City Council.

SECT. 10.—City Clerk and his duties.

SECT. 11.—Overseers of Poor.

School Committee.

Assistant Assessors.

Assessors' duties; assessment of taxes.

SECT. 12.—Fire Department.

SECT. 13.—List of Jurors; how prepared; how drawn.

SECT. 14.—Streets, how laid out.

SECT. 15.—Sewers and drains; measurement of wood, lumber, etc.

SECT. 16.—Board of Health.

SECT. 17.—Election of Representatives.

SECT. 18.—State elections. Returns.

SECT. 19.—Lists of voters; who may vote.

SECT. 20.—Citizens' meetings, how called.
SECT. 21.—City Council may make By-Laws.
SECT. 22.—Fines for breach of By-Laws; how recovered; right of appeal; fines paid City Treasurer; if not paid.
SECT. 23.—First organization of City Government, and subsequent.
SECT. 24.—Town meeting suspended; if charter is not accepted.
SECT. 25.—Transfer of records.
SECT. 26.—Repealing inconsistent acts.
SECT. 27.—Legislature may amend.
SECT. 28.—Void, if not accepted.
SECT. 29.—When to take effect.

*SECT. 1.—The inhabitants of the Town of Lawrence shall continue to be a body politic and corporate, under the name of the City of Lawrence, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon and pertaining to the said town, as a municipal corporation.

SECT. 2.—The administration of all the fiscal, prudential and municipal affairs of the said city, with the government thereof, shall be vested in one municipal officer, to be styled the Mayor; one council of six, to be called the board of Aldermen, and one council of eighteen, to be called the Common Council; which boards, in their joint capacity, shall be denominated the City Council, and the members thereof shall be sworn to the faithful

*The City Charter was enacted March 21st, 1853, and submitted to the voters for their acceptance at a town meeting, held March 29, 1853, the vote being 659 yeas, to 143 nays. The first election under the Charter was held April 18th, and the new City Council was organized May 10th. The Charter has once been amended by special enactment, and several of its sections have been changed by provisions of General Statutes since passed. It is here presented, with the provisions now in force.

performance of their respective duties. A majority of each board shall constitute a quorum for the transaction of business. And no member of either board shall receive any compensation for his services.

SECT. 3.—The city shall be, and the same is hereby, divided into six wards, as follows*:

All that portion of the city, north of the Merrimack river, and east of the line northerly, through Newbury street to Meadow street, thence through Meadow street to the bridge over the Spicket river, on the Haverhill road, thence through the Haverhill road to the Methuen road, thence through the Methuen road over Graves' or Clover Hill to the city line, shall be one ward, and known as Ward One.

All that portion of the city west of said line, and east of a line drawn northerly from the Merrimack river through Lawrence street to the city line, shall be one ward, and known as Ward Two.

All that portion of the city west of said line through Lawrence street, and east of a line drawn through Hampshire street, northerly from the Merrimack river to Haverhill street, thence easterly through Haverhill street to White street, thence northerly through White street to the Spicket river, thence through the centre of the Spicket river, easterly to the bridge over said river on Lawrence street, shall be one ward, and known as Ward Three.

*As revised July, 1856.

All that portion of the city west of said line through Hampshire, Haverhill and White streets and the Spicket river, to Lawrence street, and through Lawrence street northerly to the city line, and east of a line drawn through Turnpike street northerly from the Merrimack river to the city line, shall be one ward, and known as Ward Four.

All that portion of the city north of the Merrimack river, and west of a line drawn through the centre of Turnpike street northerly from said river shall be one ward, and known as Ward Five.

All that portion of the city south of the Merrimack river shall be one ward and known as Ward Six.

*It shall be the duty of the city council in the year eighteen hundred and sixty-five, and after that once in ten years, and not oftener, to revise, and if it be needful, to alter the boundaries of the several wards, in such manner that they contain as nearly as may be, an equal number of inhabitants.

SECT. 4.—On the first Monday in December, annually, there shall be chosen by ballot, in each of said wards, a warden, clerk, and three inspectors of elections, residents of the wards in which they are chosen, who shall hold their offices for one year, and until others have been chosen in their places and qualified to act. It shall be the duty of such warden to preside at all ward meetings, with the powers of moderators of town meet-

*Special Act, passed 1865.

ings. And if, at any meeting the warden shall not be present, the clerk of such ward shall call the meeting to order, and preside until a warden *pro tempore* shall be chosen.* The clerk shall record all the proceedings and certify the votes given, and deliver to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity.

And it shall be the duty of inspectors of elections to assist the warden in receiving, sorting and counting the votes. And the warden, clerk and inspectors of elections, so chosen, shall respectively make oath or affirmation, faithfully and impartially to discharge their several duties relative to all elections; which oath may be administered by the clerk of such ward to the warden, and by the warden to the clerk and inspectors, or by any justice of the peace for the county of Essex.

All warrants for meetings of citizens for municipal purposes, to be held either in wards or in general meetings shall be in such form, and shall be served, executed and returned in such manner, and at such times as the city council may, by any by-law direct.

SECT. 5.—The mayor and six aldermen, one alderman to be selected from each ward, shall be elected by the qualified voters of the city a large voting in their respective wards; and three com-

*See provisions of General Statutes, following Charter.

mon councilmen, and one person to be an overseer of the poor, and one person to be assistant assessor, *and in one-third of the wards, two persons in each to be members of the school committee, shall be elected by the qualified voters of each ward, and shall be residents of the wards wherein they are elected. All said officers shall be chosen by ballot, and—except school committee—shall hold their offices for one year from the first Monday in January, and until others shall be elected and qualified in their places.

SECT. 6.—On the first Monday of December, annually, the qualified voters in each ward shall give in their votes for mayor, aldermen, common councilmen, overseer of the poor, school committee, and assistant assessor, as provided in section five of this act; and all the votes so given shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given for each to be written in the ward records in words at length. The clerk of the ward shall, within twenty-four hours after such election, deliver to the persons elected members of the common council, overseer of the poor, school committee, and assistant assessor, certificates of their election, signed by the warden and clerk, and by a majority of the inspectors of elections for such ward, and shall deliver to the city clerk a copy of the records of

*As amended by General Statutes.

such elections, certified in like manner; *provided*, however, that if the choice of common councilmen, overseer of the poor, school committee, or assistant assessor, shall not be effected on that day, the meeting may be adjourned from time to time, but not more than seven days at any one time, until such election is completed. The board of aldermen for the time being shall, as soon as conveniently may be, within seven days after such election, examine the copies of records of the several wards, certified as aforesaid, and shall cause the person who may have been elected mayor, to be notified in writing of his election; but if it shall appear that no person has received a plurality of all the votes, or if the person elected shall refuse to accept the office, the board of aldermen shall issue their warrant for a new election, and the same proceedings shall be had as hereinbefore provided for the choice of mayor, and repeated from time to time, until a mayor shall be chosen and shall accept the office. In case of the decease, resignation, or absence of the mayor, or his inability to perform the duties of his office, it shall be the duty of the board of aldermen and common council, in convention to elect a mayor to serve during the unexpired term, or until the occasion causing the vacancy be removed. And if it shall appear that the number of aldermen have not been elected, the same proceedings shall be had as are hereinbefore provided for the choice of mayor. Each

alderman shall be notified in writing of his election by the mayor and aldermen, for the time being.

The oath prescribed by this act, shall be administered to the mayor by the city clerk, or by any justice of the peace for the county of Essex.

The aldermen and common councilmen elect, shall, on the first Monday in January, at ten o'clock in the forenoon, meet in convention, when the oath required by this act shall be administered to the members of the two boards present, by the mayor, or by any justice of the peace for the county of Essex; and a certificate of such oath having been taken, shall be entered in the journal of the mayor and aldermen, and of the common council, by their respective clerks.

*And whenever it shall appear that no mayor has been elected previously to the said first Monday in January, the mayor and aldermen, for the time being, shall make a record of that fact, an attested copy of which the city clerk shall read at the opening of the convention to be held as aforesaid.

After the oath has been administered as aforesaid, the two boards shall separate, and the common council shall be organized by the choice of a president and clerk, who shall be sworn to the faithful discharge of their duties.

†In case of the absence of the mayor elect, on the first Monday of January, the city government

*See General Statutes following Charter, Sects. 6, 7 and 8. †See General Statutes appended to the Charter, Sects. 6, 7 and 8.

shall organize itself as hereinbefore provided, and may proceed to business in the same manner as if the mayor were present; and the oath of office may be administered to the mayor at any time thereafter, in a convention of the two branches.

In the absence of the mayor, the board of aldermen may choose a chairman *pro tempore*, who shall preside at joint meetings of the two boards.

Each board shall keep a record of its own proceedings and judge of the election of its own members; and in case of the failure of an election, or in case of any vacancy declared by either board, the mayor and aldermen shall order a new election.

SECT. 7.—The mayor, thus chosen and qualified, shall be the chief executive officer of the city; it shall be his duty to be vigilant in causing the laws and regulations of the city to be enforced, and to exercise a general supervision over the conduct of all subordinate officers, and to cause their neglect of duty to be punished; he may call special meetings of the board of aldermen and common council, or either of them, when necessary in his opinion, by causing notices in writing, to be left at the places of residence of the several members; he shall communicate, from time to time, to both of them, such information and recommend such measures as in his opinion the interests of the city may require; he shall preside in the board of aldermen, and in convention of the two boards, but he shall have a casting vote only. His salary for the first year, under this charter, shall be five hundred

dollars, and no more. He shall afterwards receive for his services such salary as the city council shall determine, and shall receive no other compensation; but such salary shall not be increased or diminished during the year for which he is chosen.

SECT. 8.—The executive power of the said city generally, and the administration of the police, with all the power heretofore vested in the selectmen of Lawrence, shall be vested in, and may be exercised by the mayor and aldermen as fully as if the same were herein specially enumerated. The mayor and aldermen shall have full and exclusive power to appoint a constable and assistants, or a city marshal and assistants, with the powers and duties of constables, and all other police officers and the same to remove at pleasure. And the mayor and aldermen may require any person who may be appointed marshal or constable of the city, to give bonds for the faithful discharge of the duties of the office, with such security and to such amount as may be deemed reasonable and proper; upon which bonds the like proceedings and remedies may be had as are by law provided in the case of constables' bonds taken by the selectmen of towns.

All other powers now vested in the inhabitants of the said town, and all powers granted by this act, shall be vested in the mayor and aldermen and common council of the said city, to be exercised by concurrent vote, each board to have a negative upon the other; but the city council shall, annually,

as soon after their organization as may be convenient, elect, by joint ballot, in convention, a city treasurer, collector of taxes, an assessor to serve three years,* and a city clerk, and two persons to be selected from the members of the board of aldermen to be overseers of the poor, and shall, in such manner as the said city council may determine by any by-law made for the purpose, appoint or elect all subordinate officers, not herein otherwise directed, for the ensuing year, define their duties and fix their compensation in cases where such duties and compensation shall not be defined and fixed by the laws of the Commonwealth; †the city treasurer and collector may enter upon the duties of their offices on the first day of March in each year.

All the sittings of the mayor and aldermen, of the common council, and of the city council, shall be public when they are not engaged in executive business. The city council shall take care that money shall not be paid from the treasury unless granted or appropriated; shall secure a just and prompt accountability, by requiring bonds, with sufficient penalty and sureties from all persons entrusted with the receipt, custody, or disbursement of money; shall have the care and superintendence of city buildings, and the custody and management of all city property, with power to let or sell what may be legally let or sold; and to purchase property, real or personal, in the name or for the

*As amended by General Statutes. †Amendment, April 10, 1855.

use of the city, whenever its interests or convenience may in their judgment require it. And the city council shall, as often as once a year, cause to be published, for the use of the inhabitants, a particular account of the receipts and expenditures, and a schedule of city property.

SECT. 9.—In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have the exclusive right to nomination, being subject, however, to the confirmation or rejection by the board of aldermen; and no person shall be eligible to any office of emolument, the salary of which is payable out of the city treasury, who, at the time of such appointment, shall be a member of the board of aldermen or of the common council; *provided, however*, that any member of either board may be elected to serve as mayor whenever a vacancy shall occur in that office, and any two members of the board of aldermen may be chosen overseers of the poor, as hereinbefore provided.*

SECT. 10.—The city clerk shall be clerk of the board of aldermen, and shall be sworn to the faithful performance of his duties. He shall perform such duties as shall be prescribed by the board of aldermen; he shall perform all the duties and exercise all the powers by law incumbent upon or vested in the town clerk of the town of Lawrence.

SECT. 11.—The qualified voters of each ward, at their respective annual ward meetings, shall elect,

*See General Statutes appended to charter, Sect. 12.

by ballot, one person in their respective wards, who shall be a resident of the ward, to be an overseer of the poor, and the person thus chosen, together with the mayor and the two aldermen selected by the city council, as hereinbefore provided, shall constitute the board of overseers of the poor, and shall have all the powers and be subject to all the duties now by law pertaining to the overseers of the poor of the town of Lawrence.

*The qualified voters shall, at the same time, and as before provided, elect members of the school committee, who shall serve without compensation; and the persons so chosen, together with the mayor, who shall be *ex-officio* chairman of the board, shall constitute the school committee, and have the care and superintendence of the public schools; and the said committee shall appoint from their own number or otherwise, a secretary, to be, under the direction and control of said committee, superintendent of the schools, and the compensation of such secretary shall be determined from year to year by the city council, on recommendation of the school committee.

The qualified voters shall, at the same time and in like manner, elect one person in each ward, who shall be a resident of the ward, to be an assistant assessor; and it shall be the duty of the persons so elected to furnish the assessors with all the needful information relative to the persons and property taxable in their respective wards, and

*Amended by General Statutes.

they shall be sworn to the faithful performance of their duty.

The persons to be chosen by the city council as assessors, as hereinbefore provided, shall constitute the board of assessors, and shall exercise the same powers, and be subject to the same duties and liabilities, that the assessors in the several towns in this Commonwealth may exercise or be subject to under existing laws; and they shall be sworn to the faithful performance of their duties. All taxes shall be assessed, apportioned, and collected in the manner prescribed by the laws of the Commonwealth; *provided, however*, that the city council may establish further or additional provisions for the collection thereof.

SECT. 12.—An act establishing the fire department in the town of Lawrence, passed May tenth, in the year eighteen hundred and forty-eight, shall continue in force, and all the power and authority now vested in the selectmen of Lawrence, in relation to the fire department in the town, shall be transferred to and vested in the mayor and aldermen.

SECT. 13.—The list of jurors shall be prepared by the mayor and aldermen, in the same manner as is required in chapter one hundred and thirty-two of the General Statutes, to be done by the selectmen within and for their respective towns; and the lists, when made out, shall be submitted to the common council for concurrent revision or amendment.

The mayor and aldermen and the city clerk, shall severally have and exercise all the powers and duties with regard to the drawing of jurors in the city, and all other matters relating to jurors therein, which are by law required to be performed by the selectmen and town clerk in their respective towns; and all *venires* for jurors to be returned from Lawrence, shall be served on the said mayor and aldermen.

SECT. 14.—The mayor and aldermen, with the concurrent vote of the common council, shall have exclusive power to lay out, alter, or discontinue any street or town way, and to estimate the damage any individual may sustain thereby. And any person dissatisfied with the decision of the city council in the estimate of damages, may make complaint to the county commissioners of the county of Essex at any meeting held within one year after such decision, whereupon the same proceedings shall be had as are now by law provided in cases where persons are aggrieved by the assessment of damages by the selectmen, in the forty-third chapter of the General Statutes.

*SECT. 15.—The mayor and aldermen, with the concurrent vote of the common council, shall have the power to cause drains and common sewers to be laid through any street or private land, paying the owners such damage as they sustain thereby.

And the city council may make by-laws with

*As amended by Special Act, April 10, 1865.

suitable penalties, for the inspection, survey, measurement and sale, of lumber, wood, coal and bark, brought into the city for sale.

SECT. 16.—All power and authority now vested by law in the board of health for the town of Lawrence, or in the selectmen thereof, shall be transferred to and vested in the city council, to be by them exercised in such manner as they may deem expedient.

SECT. 17.—The mayor and aldermen shall, in each year, issue their warrant for calling meetings for the election of the whole number of representatives to the General Court to which the said city is by law entitled, and the number shall be specified in the warrant.

SECT. 18.—All elections for county, State and United States officers, who are voted for by the people, shall be held at meetings of citizens qualified to vote in such elections in the representative wards, at the time fixed by law for these elections respectively; and at such meetings, all the votes given for such officers respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of all persons voted for, and the number of votes given for each, to be written in the ward records in words at length. The ward clerk shall forthwith record such returns, and the mayor and aldermen shall, within two days after every such election, examine and compare all such returns, and make out a certificate of the result of such elections, to be signed by the

mayor and a majority of the aldermen, also by the city clerk, which shall be transmitted or delivered in the same manner as similar returns are by law directed to be made by selectmen of towns. And in all elections for representatives to the General Court, in case the whole number proposed to be elected shall not be chosen by the votes legally returned, the mayor and aldermen shall forthwith issue their warrant for a new election, conformably to the provisions of the constitution and laws of the Commonwealth.

SECT. 19.—Prior to every election, the mayor and aldermen shall make out lists of all the citizens of each ward, qualified to vote in such elections, in the manner in which selectmen of towns are required to make out lists of voters; and for that purpose they shall have full access to the assessors' books and lists, and be entitled to the assistance of all assessors and all city officers; and they shall deliver said lists so prepared and corrected to the clerks of the said wards, to be used at such elections; and no person shall be entitled to vote whose name is not borne on such list; *provided*, that any person whose name shall not be borne on the list of the ward in which he is entitled to vote, when it shall be placed in the hands of the clerk of said ward, shall have the right to have his name entered thereon at any time thereafter and before the closing of the polls, upon presenting to the ward officers a certificate signed by the mayor, or city clerk, by order of the board of aldermen,

setting forth his right to have his name thus entered.

SECT. 20.—General meetings of the citizens qualified to vote, may from time to time be held to consult upon the public good, to give instruction to their representatives, and to take all lawful measures to obtain redress from grievances, according to the right secured to the people by the constitution of this Commonwealth. And such meetings may and shall be duly warned by the mayor and aldermen, upon the requisition of fifty qualified voters.

SECT. 21.—The city council shall have power to make all such salutary and needful by-laws as towns, by the laws of this Commonwealth, have power to make and establish, and annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect and be in force from and after the time therein respectively limited, without the sanction of any court or other authority whatever, *provided, however*, that all laws and regulations now in force in the town of Lawrence shall, until they expire by their own limitation, or be revised or repealed by the city council, remain in force, and all fines and forfeitures for the breach of any by-law or ordinance shall be paid into the city treasury.

SECT. 22.—All fines, forfeitures and penalties accruing for the breach of any by-law of the city of Lawrence, or any of the ordinances of the city council, or any of the orders of the mayor and

aldermen, may be prosecuted for and recovered before the Police Court of the said city of Lawrence, by complaint or information, in the same manner in which other criminal offenses are now prosecuted before the Police Courts within this Commonwealth; reserving, however, in all cases, to the party complained of and prosecuted, the right of appeal to the Superior Court, then next to be holden in the county of Essex, from the judgment and sentence of the Police Court; and the appeal shall be allowed on the same terms, and the proceedings shall be conducted therein in the same manner, as provided in the one hundred and seventy-third chapter of the General Statutes of this Commonwealth. And it shall be sufficient, in all such prosecutions, to set forth in the complaint the offence, fully, plainly, substantially and formally; and it shall not be necessary to set forth such by-law, ordinance or order, or any part thereof. All fines, forfeitures and penalties so recovered and paid, shall be paid to the treasurer of the city of Lawrence, and shall enure to such use as the said city council shall direct. When any person, upon any conviction before the Police Court for any breach of any by-law of said city of Lawrence, or any ordinance of the city council, or any of the orders of the mayor and aldermen, shall be sentenced to pay a fine, or ordered to pay any penalty or forfeiture provided by any such by-law, ordinance or order, or, upon claiming an appeal, shall fail to recognize for his appearance at the court

appealed to, and there to prosecute his appeal, and to abide the sentence or order of the court thereon, and in the mean time to keep the peace and be of good behavior, and upon not paying the fine, penalty or forfeiture, and costs so assessed upon him, he shall be committed to prison, there to remain until he shall pay such fine, forfeiture or penalty, and cost, or be otherwise discharged according to law.

The provisions of this section shall also apply to all prosecutions founded on the by-laws or ordinances of the town of Lawrence, which may continue in force after this act shall go into operation, and all the powers of the Police Court, already established, shall be continued to it.

SECT. 23.—For the purpose of organizing the system of government hereby established, and putting the same into operation, in the first instance, the selectmen for the town of Lawrence, for the time being, shall,within thirty days after the acceptance of this act, issue their warrant, seven days at least previous to the day so appointed, for calling meetings of the said citizens, at such places and hour as they may deem expedient, for the purpose of choosing a warden, clerk, and inspectors for each ward, and all other officers whose election is provided for in the preceding sections of this act; and the transcripts of the records of each ward, specifying the votes for the several officers aforesaid, certified by the warden and clerk of each ward at such first meeting, shall be returned

to said selectmen, whose duty it shall be to examine and compare the same, and, in case the said election shall not be completed at the first meeting, then to issue new warrants until such election shall be completed, and to give notice thereof, in the manner hereinbefore provided, to the several persons elected.

And at said first meeting, any inhabitant of said ward, being a legal voter, may call the citizens to order, and preside until a warden shall have been chosen. And at said first meeting a list of voters in each ward, prepared and corrected by the selectmen for the time being, shall be delivered to the clerk of each ward, when elected, to be used as hereinbefore provided. And the selectmen shall appoint such time for the first meeting of the city council as they may judge proper, after the choice of the city officers aforesaid, or a majority of the members of both branches, in the year one thousand eight hundred and fifty-three, and shall also fix upon the place and hour of the said first meeting, and a written notice thereof shall be sent by said selectmen to the place of abode of each of the city officers chosen as provided in this section.

And after this first election of city officers, and this first meeting for the organization of the city council, as in this section is provided, the day of holding the annual elections, and the day and hour for the meeting of the city council, for the purpose of organization, shall remain as provided in the sixth section of this act. And it shall be the duty

of the city council immediately after the first organization, to elect all necessary city officers, who shall hold their offices, respectively, until others are chosen and qualified.

SECT. 24.—The annual town meeting of the town of Lawrence, which by law is to be held in March or April, is hereby suspended, and all town officers now in office shall hold their places until this act shall take effect and their successors are chosen and qualified.

And in case this act shall not be accepted, as herein after provided, the selectmen shall issue their warrant according to law, for holding the annual town meeting of the inhabitants, in which all the proceedings shall be the same as if this act had not been passed. The warrant for calling the said town meeting shall be issued within seven days of the rejection of this act, provided the same shall not be accepted.

SECT. 25.—All officers of the town of Lawrence, having the care and custody of any records, papers, or muniments of property belonging to said town, shall deliver the same to the city clerk within one week after his entering upon the duties of his office.

SECT. 26.—All such acts, and parts of acts, as are inconsistent with the provisions of this act, shall be and the same are hereby repealed.

SECT. 27.—Nothing in this act contained shall be so construed as to prevent the Legislature from altering or amending the same whenever they shall deem it expedient.

SECT. 28.—This act shall be void unless the inhabitants of the town of Lawrence, at a legal meeting, called for that purpose, at which the selectmen shall preside, and the check list be used in the same manner as at meetings called to choose State officers, and the polls kept open at least six hours, shall, by a vote of the majority of the voters present, and voting thereon, yea or nay, by a written ballot, determine to adopt the same, within twenty days from and after its passage.

SECT. 29.—This act shall go into operation from and after its passage.

State Laws.

ADAPTED TO CITY AFFAIRS, AND ESPECIALLY ADOPTED BY THE CITY COUNCIL.

POWERS AND DUTIES OF CITIES.

GENERAL STATUTES—CHAPTER XIX.

SECT. 6.—If, at or after the time for the mayor and aldermen of the city to enter upon the discharge of their duties, it appears that the mayor or the full number of aldermen are not elected, such of said officers as are elected shall issue such warrants for the election of a mayor or such aldermen as may be necessary. If neither of said officers is elected, the president of the common council shall issue such warrants.

SECT. 7.—If by reason of non-election there is no mayor of a city, the chairman of the board of aldermen shall discharge the duties of the office until a mayor is chosen and sworn.

SECT. 8.—When it appears to the mayor and aldermen that there is a vacancy either in their

board, the common council, or any city or ward office, to be filled by popular election, they shall issue their warrant for elections to fill such vacancy at such time and place as they may deem advisable.

SECT. 9.—Ward officers authorized to act at elections, shall attend and perform their respective duties at the times and places appointed for elections of officers, whether of the United States, state, city, or wards, and shall make and sign the regular returns for the same. If a ward officer is absent from a meeting, the office may be filled, *pro tempore*, by the voters present, by nomination and hand vote if they so determine.

SECT. 10.—City officers who were residents of the ward at the time of their election, shall discharge the duties of their offices, notwithstanding their removal afterwards into any other ward of the city.

SECT. 11.—The five preceding sections shall be in force in those cities only which have adopted chapter two hundred and seventeen of the statutes of eighteen hundred and forty-five, or which shall adopt said sections.

SECT. 12.—The mayor and any alderman or member of the common council of a city which has adopted chapter seventy of the statutes of eighteen hundred and fifty-one, or which shall adopt this section, may at the same time hold any other office under the city government to which he may be chosen, except one of emolument.

[ADOPTED JANUARY 30, 1862.]

DEDICATION OF STREETS AND WAYS.

GENERAL STATUTES—CHAPTER XLIII.

SECT. 84.—In cities in which the council, and in towns in which the inhabitants at a legal meeting, have accepted the provisions of this and the two following sections, if a street or way has been or shall be opened over private land by the owner thereof, and permitted to be used by the public before the same has been accepted and laid out according to law, the owners of the lots abutting thereon shall grade such street or way at their own expense, in such manner as the safety and convenience of the public shall in the opinion of the mayor and aldermen or selectmen require. If the owners of such abutting lots, after reasonable notice from the mayor and aldermen or selectmen, neglect or refuse so to do, or to close the street from public use, the mayor and aldermen or selectmen may cause the same to be graded, and after due notice to the parties interested shall assess the expense thereof upon the owners, in such proportion as shall be judged reasonable. All assessments so made shall be a lien upon the abutting lands in the same manner as taxes are a lien upon real estate.

SECT. 85.—The mayor and aldermen or selectmen may fix and establish the grade of a street or way so opened and used, and cause a plan of such

grade to be deposited in the office of the city or town clerk. And all persons making improvements upon the lots abutting thereon, after the grade has been established and recorded, shall conform to the grade. But nothing contained in this and the preceding section shall affect any agreements heretofore made respecting such streets or ways, between the owners of lots and the city or town.

SECT. 86. The grading of such street or way by the owners of the land in pursuance of the notice by the mayor and aldermen or selectmen, shall not be construed to be a dedication of the same to the public use, nor shall the establishment and record of the grade, or the grading thereof by the mayor and aldermen or selectmen, constitute an acceptance of the same by the city or town. But no such street or way shall be dug up or obstructed without the consent of the mayor and aldermen or selectmen.

[ADOPTED JANUARY 30, 1862.]

SEALING OF WEIGHTS AND MEASURES.

SPECIAL STATUTE.

SECT. 1.—The sealer of weights and measures for the city of Lawrence, is authorized and required to go to the houses, stores and shops of all such persons, within the city of Lawrence, using

weights and measures for the purpose of buying and selling, as shall neglect to bring in their measures, weights, balances, scales and beams, to be adjusted and sealed, and there, at the said houses, stores and shops, having entered the same with the assent of the occupant thereof, to adjust and seal the same, or send the same to his office, to be adjusted and sealed, and shall be entitled to receive therefor double the fees provided by law for the same service if they had been brought in to be adjusted and sealed, with all the expenses attending the removal of the same.

SECT. 2.—If any such person shall refuse to have his measures, weights, balances, scales or beams so tried, adjusted and sealed, the same not having been tried, adjusted and sealed within the year preceding such refusal, he shall forfeit ten dollars for each offence, one-half to the use of the city and one-half to the use of the sealer of weights and measures.

SECT. 3.—If any person shall alter any weight, measure, balance, scale or beam, after the same shall have been adjusted and sealed, so that the same thereby shall not conform to the public standard, and shall fraudulently make use of the same, he shall forfeit for each offence the sum of ten dollars, one-half to the use of the city and one-half to the use of the complainant.

SECT. 4.—The mayor and aldermen of the city of Lawrence are authorized to remove the sealer of weights and measures at any time they may see fit.

SECT. 5.—This act shall take effect when it shall have been accepted by the city council of the city of Lawrence.

[ACCEPTED MAY 8, 1862.]

STEAM BOILERS AND ENGINES.

GENERAL STATUTES, CHAPTER LXXXVIII.

SECT. 33.—No furnace for melting iron or making glass, and no stationary steam-engine designed for use in any mill for planing or sawing boards or turning wood, or in which any other fuel than coal is used to create steam, shall be erected or put up to be used in any city or town by which the provisions relating thereto, of chapter one hundred ninety-seven of the statutes of eighteen hundred and forty-five or chapter ninety-six of the statutes of eighteen hundred and forty-six respectively, have been adopted, or by which this and the seven following sections shall have been adopted, at a legal meeting of the city council of the city or the inhabitants of the town called for that purpose, unless the mayor and aldermen or selectmen thereof have granted a license therefor, prescribing the place where the building in which such steam-engine or furnace is to be used shall be erected, the materials and construction thereof, with such regulations as to the height of flues and protection

against fire as they may deem necessary for the safety of the neighborhood. Such license may be granted on a written application and shall be recorded in the records of the city or town.

SECT. 34.—Upon application for such license the mayor and aldermen or selectmen shall assign a time and place for the consideration of the same, and cause at least fourteen days, public notice thereof to be given, at the expense of the applicant, in such a manner as they may direct in order that all persons interested may be heard thereon.

SECT. 35.—In any city or town by which chapter one hundred and ninety-seven of the statutes of eighteen hundred and forty-five has been adopted at a legal meeting of the city council of the city or inhabitants of the town called for that purpose, the mayor and aldermen or selectmen, after due notice in writing to the owner of such steam-engine or furnace, except for making glass, erected or in use therein before the time of such adoption, and a hearing of the matter, may adjudge the same to be dangerous or a nuisance to the neighborhood, and make and record an order prescribing such rules, restrictions, and alterations, as to the building in which the same is constructed or used, the construction and height of its smoke flues, with such other regulations as they may deem necessary for the safety of the neighborhood; and the city or town clerk shall deliver a copy of such order to a constable, who shall serve on the owner an attested copy thereof and make return

of his doings thereon to said clerk within three days from the delivery thereof to him.

SECT. 36.—The owner of a steam engine or furnace who is aggrieved by such order, may apply to the superior court or a justice thereof in vacation, for a jury; and the court or justice shall issue a warrant for a jury to be empanelled by the sheriff in like manner as is provided in chapter forty-three in regard to the laying out of highways. Such applications shall be made within three days after the order is served upon the owner, and the jury shall be empanelled within fourteen days from the issuing of the warrant.

SECT. 37.—The court or justice, on granting the application for a jury, may issue an injunction restraining the further use of such engine or furnace until the final determination of the application.

SECT. 38.—The jury may find a verdict either affirming or annulling the order in full, or making alterations therein; which verdict shall be returned by the sheriff to the next term of the court for acceptance as in the case of highways, and when accepted shall take effect as an original order.

SECT. 39.—If the order is affirmed, costs shall be recovered by the city or town against the applicant; if it is annulled, damages and costs shall be recovered by the complainant against the city or town; and if it is altered, the court may render such judgment as to costs, as to justice shall appertain.

SECT. 40.—Any steam-engine or furnace erected or used contrary to the provisions of the seven preceding sections, shall be deemed a common nuisance. And the mayor and aldermen or selectmen shall have like authority to remove the same as is given to boards of health to remove nuisances by sections eight, nine, and ten, of chapter twenty-six.

[ADOPTED FEBRUARY 21, 1865.]

CATCHING FISH.

GENERAL STATUTES, CHAPTER LXXXIII.

SECT. 1.—Whoever puts or throws into any waters within this state, for the purpose of taking or destroying fish therein, any of the *cocculus indicus*, otherwise called Indian berry, or Indian cockle, or any other poisonous substance, whether the same is mixed with any other substance or not, shall forfeit ten dollars for every such offence.

SECT. 2.—Whoever takes or catches any pickerel or trout in any rivers, streams, or ponds, in any other manner than by hooks and lines, or takes or catches any pickerel, from the first day of December to the first day of May, shall forfeit one dollar for every pickerel or trout so taken, and if he is a minor, his guardian shall be liable to said forfeiture; but this section shall not extend to any town unless adopted thereby, nor shall it affect the

statutes specially relating to the district of Marshpee.

SECT. 3.—All prosecutions under the preceding section shall be instituted within thirty days from the time of committing the offence.

[ADOPTED NOVEMBER 24, 1865.]

SIDEWALKS.

SPECIAL STATUTE.

SECT. 1.—Whenever the mayor and aldermen of the city of Lawrence shall deem it expedient to construct sidewalks, or complete any partially constructed sidewalks, in any street of said city, they are hereby authorized to construct or complete such sidewalk with edge-stones, and in front of buildings or occupied premises to cover the same with brick or flat stones, or other appropriate materials; and they are further authorized to cover such sidewalks in front of vacant lots of land with brick, plank or other appropriate material; and the expense of such edge-stone and covering materials shall be assessed upon the abutters in just proportions, and shall constitute a lien upon the abutting lots of land, and be collected in the same manner as taxes on real estate now are; and such sidewalks when constructed and covered as aforesaid shall afterwards be maintained at the expense of the city.

SECT. 2.—This act shall take effect whenever accepted by the city council of the city of Lawrence by a two-thirds vote of each branch.

[ACCEPTED AUGUST 7, 1868.]

SHADE AND ORNAMENTAL TREES.

GENERAL STATUTES, CHAPTER CCXLII.

SECT. 1.—No person who has by law a right to cut down or remove any ornamental or shade tree standing in any highway, town way or street, shall exercise such right without first giving notice of his intention to one of the selectmen of the town or mayor of the city in which the tree stands; and, if the selectmen of the town or mayor and aldermen of the city desire to retain the tree, they shall give notice thereof to such person within ten days after his notice to them; and in that case, the same course shall be taken and the same rules apply as to the assessment, appeal and final determination and payment of the damage such person may suffer by the retaining of said tree, as in the case of damage done by an alteration in such highway, town way or street.

SECT. 2.—If any such person shall cut down, remove or injure such tree without first giving the notice required in the foregoing section or in violation of any of the provisions thereof, or of

the rights of the city or town acquired thereunder to maintain the same, he shall suffer the penalty provided for the injury or destroying of ornamental or shade trees in the seventh section of the forty-sixth chapter of the General Statutes, and the penalty in such case shall accrue to the city or town.

SECT. 3.—This act shall not be in force in any town or city until it shall be accepted by a majority of the legal voters in such town at a meeting legally called therefor, or by the city council.

[ACCEPTED MAY 6, 1869.]

CITY ORDINANCES

AND

GENERAL STATUTES.

City Ordinances.

ORDINANCES AND ELECTIONS.

CHAPTER I.

1.—Title of by-laws and enacting style.
2.—How recorded.
3.—To be published.
4.—Form of warrants.
5.—Same—for general meetings.
6.—Warrants,—how served.
7.—Time of opening and closing polls.
8.—In what ward persons shall vote.
9.—Penalty for violation.

CITY OF LAWRENCE.

Be it ordained by the City Council of the City of Lawrence, as follows:

SECT. 1.—All By-Laws passed by the City Council shall be termed ordinances, and the enacting style shall be, "Be it ordained by the City Council of the City of Lawrence, as follows:"

And they shall be arranged in chapters and sections, and numbered, as convenience may require.

SECT. 2.—All ordinances shall be recorded by the city clerk in a fair and legible hand, without interlineation or erasure, and in the order in which they shall be passed, in a book kept for that purpose, made of strong linen paper, with proper margin and index, and strongly bound, to be let-

tered Record of Ordinances of the City of Lawrence, which book shall be preserved in the office of the city clerk, subject to the inspection of the citizens.

SECT. 3.—All ordinances, and also such orders of the mayor and aldermen, as the mayor may deem advisable, shall be promulgated by causing the same to be inserted, at least once, in each paper published in the city; and the mayor may, in his discretion, cause any such ordinance or order to be printed separately for distribution among the citizens.

SECT. 4.—The form of warrants for calling meetings of the citizens of the several wards shall be as follows:—

CITY OF LAWRENCE.

To either of the Constables of said City,—Greeting:

In the name of the Commonwealth you are required forthwith to warn the citizens of Ward No.—, qualified to vote, as the law directs, to assemble at——on—— the —— day of —— at —— o'clock in the forenoon, then and there to give in their ballots for ——. Hereof fail not, and have you there this warrant with your doings thereon.

Witness——Mayor of said City of Law-
SEAL. rence, this——day of——in the year of our Lord, one thousand eight hundred and ——.

By order of the Mayor and Aldemen,

——— ———, City Clerk.

SECT. 5.—The form of warrant for calling general meetings of the citizens, shall be as follows, viz:

CITY OF LAWRENCE.

To either of the Constables of said City,—Greeting.

In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the citizens of Lawrence qualified to vote as the law directs, to assemble in general meeting at the City Hall, on——the——day of——at——o'clock——, then and there to——. Hereof fail not, and have you there this warrant with your doings thereon.

Witness——, Mayor of our City of Law-
SEAL. rence, this——day of——in the year of our Lord one thousand eight hundred and——.

By order of the Mayor and Aldermen,

——— ———, City Clerk.

SECT. 6.—All warrants, whether calling general meetings or meetings of the several wards, shall be issued by the mayor and aldermen four days at least before the holding of the same; they shall be signed by the city clerk, and they shall be served by either constable of the city, by leaving a copy thereof at the residence of each citizen qualified to vote at the meetings called thereby, by posting thereof in a suitable public place or by publishing the same in one or more of the newspapers of the city, as the mayor and aldermen may direct. And

the constable to whom any warrant may be delivered for service, shall seasonably return the same with his doings thereon, to the mayor and aldermen, if it be for a general meeting, otherwise to the warden of the ward named therein.

SECT. 7.—It shall be the duty of the mayor and aldermen to fix the time when the poll shall be opened and closed, in the election of all officers, and to insert the same in the warrant for the meeting.

SECT. 8.—No person shall vote at any municipal election in any ward other than that in which he resides and has his home, and has resided and had his home for thirty days before the time of voting; *provided*, that any person being qualified to vote in any ward, and removing therefrom to, and remaining and residing in any other ward in said city, shall continue for the space of thirty days from and after such removal, to be a voter in the ward from which he shall have removed.

SECT. 9.—Any person who shall violate the preceding section, shall forfeit and pay for each offense a penalty of twenty dollars.

ELECTIONS AND SALARIES.

CHAPTTR II.

1.—Mode of electing city officials; how to be removed.
2.—Act concerning school committee.
3.—When and how, school committee to be elected.
4.—Committee on finance to report salaries.
5.—Salaries,—how and when fixed.
6.—In case of failure thus to establish.

SECT. 1.—The mode of electing all city officers for which provision is not otherwise made, either by the laws of the Commonwealth, or by some other ordinance of the city, shall be as follows, to wit: They shall first be elected by the mayor and aldermen, and sent down to the common council for its concurrence, rejection or amendment. And, unless by law or ordinance otherwise specially determined, all officers shall be removable at pleasure, by the authority conferring their appointment or election.

SECT. 2.—The city of Lawrence hereby avails itself of the provisions of the act entitled "An Act providing for the election of School Committees," passed in the year 1857, embodied in chapter 270 of the Statutes of 1857.

SECT. 3.—At the municipal election of 1857, the citizens of wards One and Two shall elect two persons in each of their wards, to serve upon the school committee for the term of three years. The citizens of wards Three and Four shall elect

the same number from each of their wards, who shall serve for two years; and the citizens of wards Five and Six shall elect an equal number from each of their wards, to serve for one year. And at the expiration of the terms of the several persons so chosen, an election shall be made in the several wards where the vacancies occur, and the new members thus elected shall serve for three years.

SECT. 4.—It shall be the duty of the joint standing committee on finance, in the month of October in each year, to report to the city council a resolution recommending the salaries and compensations of the principal city officers for the municipal year next ensuing.

SECT. 5.—The salaries and compensations of such officers shall be established by joint resolution passed by the city council in the month of November, for the municipal year commencing on the first Monday of the following January, and no salary thus established shall be altered during said ensuing year.

SECT. 6.—And in case the city council shall fail thus to establish in the month of November, any salary for the ensuing year, such salary shall remain and continue as last previously established in accordance with the foregoing section.

CITY MARSHAL AND HIS DUTIES.

CHAPTER III.

1.—City Marshal to be appointed.
2.—To be a constable and have preference; bonds.
3.—Assistant marshals; salary and bonds.
4.—Duty of marshal; to receive complaints and prosecute offenders.
5.—To report to council; collect and pay over fines and penalties.
6.—Marshal removable at pleasure of mayor and aldermen.
7.—No policeman to be paid unless detailed.

SECT. 1.—The mayor and aldermen shall annually, in the month of January or February, appoint a city marshal, who shall receive such compensation for his services as the city council shall direct.

SECT. 2.—Said city marshal shall be appointed to the office of constable, and he shall have precedence and command over the other constables whenever engaged in the same service, or when directed thereto by the mayor and aldermen. And the city marshal before entering upon the duties of his office, shall be sworn to the faithful performance of the duties thereof by the mayor. He shall also give bonds in a sum not less than five hundred dollars, with sufficient sureties to be approved by the mayor and aldermen, for the faithful performance of the duties of said office.

SECT. 3.—The said city marshal may employ an assistant or assistants, not exceeding two, to be approved by the mayor and aldermen, and to be

selected from the constables of the city. And the said assistant or assistants shall have power and authority to assist the marshal in the execution of his office, or in his absence to officiate in his stead. Said assistants shall receive such reasonable compensation for services rendered as the city council may from time to time allow. The assistant or assistants shall, if the mayor and aldermen require it, give bonds with sufficient sureties, for the faithful performance of the duties of their office.

SECT. 4.—It shall be the duty of the city marshal and his assistants to pass from time to time through the streets and alleys of the city, with a view to remove by prosecution or otherwise, all nuisances, obstructions and impediments therein. He shall receive all complaints for any violation of the laws in relation to the city, and of the ordinances and by-laws thereof, and for that purpose shall attend daily, at some stated time, in one of the public offices of the city, to be designated by the mayor. He shall prosecute all offenders against such laws, ordinances and by-laws, as soon as may be, and shall take all proper measures to enforce and carry into effect all and every section of the city ordinances and by-laws. He shall obey and execute all the orders and commands of the mayor and aldermen in relation to any matter or thing concerning the city, and shall comply with all such regulations as may by them at any time be prescribed.

SECT. 5.—He shall keep a correct record of the doings of his office, and shall make a regular report thereof to the city council once in three months, and at such other times as they shall require, which report shall contain an exact account of all fees received by him or his assistants for services of process either civil or criminal, and of all other fees which he or they may have received, or to which he or they may be entitled as executive officers, complainants, witnesses or otherwise. He shall lay before the mayor and aldermen a correct statement of all prosecutions by him instituted in behalf of the city, or in which the city is in any way concerned, within one week after their final determination respectively. The city marshal shall receive, collect, and pay over to the treasurer of the city all fines and penalties incurred for a violation of its by-laws and ordinances.

SECT. 6.—The mayor and aldermen may at any time, by vote, remove from the office the city marshal or either of his assistants, and thereupon, or in case of his or their death or resignation, proceed to appoint a successor or successors for the residue of the year.

SECT. 7.—No policeman shall receive any pay for service as such, unless detailed thereto by the mayor of the city, or the city marshal; or the bill for such service is approved by the committee on police.

CITY MESSENGER.

CHAPTER IV.

1.—City messenger,—how chosen; to deliver notifications, etc.
2.—To have supervision of Government rooms.
3.—To notify officers of election; to superintend city hall.
4.—To prepare ward rooms; compensation.

SECT. 1.—There shall, in the month of January, annually be elected by the board of aldermen, and sent down for its concurrence to the common council, a suitable person to be styled city messenger, who shall receive, deliver and execute all notifications, summonses and precepts issued by the mayor, the president of the common council, or either branch thereof, or by any committee of the same, and make due return thereof.

SECT. 2.—He shall prepare and arrange the rooms in which the city council shall hold their sessions, and attend on both branches when in session, or on either when in session separately, and under the direction of the proper committees or officers, provide fuel, lights, and other things necessary for the accommodation of both branches of the city council or any committee thereof.

SECT. 3.—He shall receive and deliver all notifications to officers elected by the city council, by the mayor and aldermen, or at ward meetings, and

shall deliver all notifications to committees upon the request of the city clerk, the clerk of the common council, or chairman of any committee. He shall have the superintendence of the city hall, and the adjoining rooms and see that they are kept in good condition.

SECT. 4.—He shall also prepare the rooms selected for ward meetings, and have the same put in good order after said meetings are adjourned, and he shall at all times be subject to such further orders and regulations as the city council may make. He shall receive for his services such compensation as the city council shall allow.

CITY SOLICITOR.

CHAPTER V.

1.—City solicitor to be chosen; qualifications of.
2.—To draft all legal documents of the city.
3.—To prosecute and defend suits; to furnish opinions.
4. — Compensation; to receive taxable costs.

SECT. 1.—There shall annually in the month of January or February, and whenever a vacancy may occur, be chosen by the concurrent vote of both branches of the city council, a solicitor for the city of Lawrence, who shall be a resident citizen thereof, an able and discreet person, learned in the law and a practitioner as attorney and coun-

sellor at law in the Courts of the Commonwealth, and who shall not hold any other office under the city government during the period for which he is elected, and he shall be removed at the pleasure of the city council.

SECT. 2.—It shall be the duty of the said city solicitor to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements and other legal instruments of whatsoever nature, which may be required of him by an ordinance or order of the mayor and aldermen, or of the city council, and which by law, usage or agreement, the city is to be at the expense of drawing.

SECT. 3.—It shall be the duty of the said city solicitor to commence and prosecute all actions and suits to be commenced by the city before any tribunal in this Commonwealth, whether in law or equity; and also to appear in defence, and advocate the rights and interest of the city, or of any of the officers of the city in any suit or prosecution for any act or omission in the discharge of their official duties, wherein any estate, rights, privileges, ordinances or acts of the city government, or any breach of any ordinance of the city may be brought in question, and he shall in all matters do all and every professional act incident to the office which may be required of him by the city government, or by any joint or special committee thereof. And he shall, when required, furnish the mayor and aldermen, the common council, or any joint or special committee of either branch

thereof, and to any officer of the city government who may require in the discharge of his official duties, with his legal opinion, on any subject touching the duties of their respective offices.

SECT. 4.—In full compensation for all the services of said solicitor, he shall receive such salary as the city council may from time to time fix and determine. In all cases, however, he shall be entitled to receive and retain for his own use the legal taxable costs which may be received of the adverse party when the city shall recover the same according to the usage and practice of courts.

AUDITOR OF ACCOUNTS.

CHAPTER VI.

1.—Auditor to be elected; compensation.
2.—To receive and examine all claims against the city; to keep proper books.
3.—To keep appropriation ledger; to give notice when appropriation exhausted.
4.—To make annual report.
5.—Shall audit accounts of treasurer, annually.

SECT. 1.—There shall, annually, in the month of April, and whenever a vacancy may occur, be chosen by joint ballot of both branches of the city council, an auditor of accounts for the city of Lawrence, who shall be a resident thereof, and who shall continue in office until his successor is

chosen. Said auditor shall be sworn to the faithful discharge of the duties of his office, and shall receive such compensation as the city council shall establish.

SECT. 2.—The auditor shall receive all claims and accounts against the city which shall have been certified to be correct by the agent authorized by some department of the city government to make the contract or cause the expenditure to be made. He shall carefully examine all such accounts and claims, and see that they are correctly cast, and present the same neatly folded, filed and labeled to the committee on accounts, at the regular monthly meeting next after the presentation of such accounts and claims. He shall keep a book in the manner and form that said committee shall direct, wherein he shall enter the date and amount of every account and claim against the city as finally corrected and allowed by said committee, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid, and the certificate of the said committee, allowing such account or claim, shall also be made in the book thus kept by the auditor.

SECT. 3.—The auditor shall also, under the direction of the committee of accounts, keep a book or ledger in which he shall enter the several appropriations made by the city council, each under its proper head, and charge to each the different payments and expenditures that shall, from time to

time, have been made thereon. Whenever any appropriation shall be expended, the auditor shall at once give notice thereof to the mayor, the city council, and the committee on accounts, and said committee may not, in their discretion, pass or allow any claim or account chargeable to such expended appropriation, until the city council shall have provided the means of paying the same.

SECT. 4.—On or before the first day of February, annually, he shall report to the city council the receipts and expenditures of the past financial year, giving the details under their separate heads, and the names of the persons to whom, and the purposes for which such expenditures were made; and shall likewise furnish a schedule of all property belonging to the city, and also an exhibit of the loans or debts due from the city bearing interest, the rate of the interest, and the times when payable.

SECT. 5.—It shall be the duty of the auditor to audit and carefully examine the accounts of the treasurer for the financial year ending on the thirty-first day of December, annually; and for this purpose he shall have access to all the books and vouchers in his possession, or in that of the city clerk, or of any other officer of the city.

COMMISSIONER OF STREETS.

CHAPTER VII.

1.—Commissioner of Streets,—how appointed; compensation.
2—To have general care of streets, bridges and sewers; to keep streets clean and in good order; to notify marshal if obstructed.
3.—May make arrangements with overseers of the poor.

SECT. 1.—There shall annually be appointed by the city council in convention, by ballot, an able, discreet person to be styled the commissioner of streets, who shall also be the surveyor of highways, required by law to be chosen, and who shall continue in office until removal, or until a successor be appointed, and sworn to a faithful performance of his duty. He shall receive such compensation for his services as the city council shall establish, and shall be removable at their pleasure; and in case said office shall become vacant by death, resignation or otherwise, a successor shall be appointed in the manner prescribed.

SECT. 2.—It shall be the duty of the commissioner of streets, under the general care and supervision of the committee on streets, to superintend the general state of the streets, roads, sidewalks, lanes, bridges, public walks, and squares of the city except the common; to attend to the making, widening or alteration of the same, to cause the same to be kept in good, sufficient and suitable

repair, and to make all contracts for labor and materials that may be necessary; to superintend the building and repair of any drains or sewers for the city, and to make all necessary contracts for the same; such contracts to be in all cases subject to the approval of the committee on streets. He shall also make all necessary arrangements for keeping the streets clean and in good order, and he shall give notice to the mayor or city mershal in case of any nuisance, obstruction or encroachment in or upon any of the streets, roads, sidewalks, bridges, public walks, or squares of the city.

SECT. 3.—The commissioner of streets may make such arrangements with the overseers of the poor for the purpose of procuring labor and materials in the discharge of his duties aforesaid, as the interests of the city may require.

INSPECTOR OF MILK.

STATUTES.

1.—Inspectors of Milk, how appointed; to be sworn, and give notice.
2—Inspectors to keep office, books, etc. May enter stores, etc., and take and analyze milk. Compensation.
3.—Measures to be sealed.
4—Penalty for neglect to record name, etc.; for selling by measures not sealed; for selling adulterated milk, etc.
5.—Convictions for violation to be published.

1.—The mayor and aldermen shall annually appoint one or more persons to be inspectors of milk, who shall, before entering upon the duties of their office, be sworn. Each inspector shall give notice of his appointment by publishing the same two weeks in a newspaper published in the city.

2.—The inspectors shall keep an office and books for the purpose of recording the names and places of business of all persons engaged

in the sale of milk within their limits; they may enter any place where milk is stored or kept for sale, and all carriages used in the conveyance of milk, and whenever they have reason to believe any milk found therein is adulterated, they shall take specimens thereof and cause the same to be analyzed, or otherwise satisfactorily tested, the result of which they shall record and preserve as evidence; and a certificate of such result, sworn to by the analyzer or tester, shall be admissible in evidence in all prosecutions under this act.

3.—All measures, cans, or other vessels used in the sale, or buying at wholesale, of milk, shall be annually sealed by the sealer of weights and measures, by wine measure; and all cans so used shall be marked by the sealer with figures showing the quantity which they hold.

4.—Whoever neglects to cause his name and place of business to be recorded in the inspector's books, and his name legibly placed upon all carriages used by him in the conveyance of milk, before engaging in the sale thereof, and whoever sells or buys at wholesale, milk by any other measures, cans or vessels, than those sealed as before provided, shall forfeit twenty dollars for the first offense, and for a second, and each subsequent offense, fifty dollars. And whoever offers for sale milk procured from cows fed upon the refuse of distilleries, or any substance deleterious to the quality of the milk, or whoever knowingly offers for sale milk produced from sick or diseased cows, shall forfeit twenty-five dollars for the first, and fifty dollars for every subsequent offense. Whoever sells or keeps, or offers for sale, adulterated milk, or milk to which water or any foreign substance has been added, shall for the first offense be punished by a fine of twenty dollars; and for a second offense by a fine of fifty dollars; and for any subsequent violation he shall be imprisoned in the house of correction not less than thirty nor more than ninety days; and whoever, in the employment of another, knowingly violates any provisions of this section, shall be held equally guilty with the principal and suffer the same penalty.

5.—It shall be the duty of the inspector to cause the name and place of business of all persons convicted under the preceding section to be published in two newspapers printed in the town or county where the offense may have been committed.

ORDINANCES—CHAPTER VIII.

1.—Milk inspector to be appointed; compensation.
2.—To enforce laws; to keep accounts.

SECT. 1.—The mayor and aldermen shall, annually, on the first Monday of January, or within sixty days thereafter, or whenever the office shall be vacant, appoint an inspector of milk, who shall be removable at the pleasure of the mayor and aldermen, be sworn to the faithful performance of his duty, receive such compensation for his services in addition to the fines and forfeitures which he shall collect, as the city council shall determine, and hold his office until another shall be appointed in his place, unless sooner removed as aforesaid.

SECT. 2.—It shall be the duty of the said inspector to give legal notice of his appointment, and to request therein all persons selling milk within the city, to conform to all the requirements of the law and of this ordinance. And to invite all persons knowing of violations of the law relating to the sale of milk, to report the same to him, to prosecute before the proper tribunal all such violations as shall come to his knowledge. And to keep proper books of account, and record of all matters appertaining to his office, which said books shall always be open to the inspection of the mayor and each of the aldermen, and shall be transmitted to his successor in office.

CONCERNING THE CITY SEAL.

CHAPTER IX.

1.—Describing city seal. | 2.—Mayor to affix to deeds, etc.

SECT. 1.—The following shall be the device of the city seal:—In the centre, a shield, with a device representing the dam, bridge and mills; upon either side, a female with distaff and thread, and a mechanic with appropriate emblems. Above the shield, a bee, surmounted by the legend "Industria;" beneath, a scroll, bearing the inscription, "Founded 1845." In the margin, without the inner circle, the legend, "City of Lawrence,—1853."

SECT. 2.—The mayor is hereby authorized and empowered to affix the seal of the city unto, and to execute and deliver in behalf of the same, all deeds and other legal instruments required by any order of the city council, and also to sign releases of tax-titles held by the city.

TO PREVENT CERTAIN ACTS IN STREETS.

CHAPTER X.

1.—No person to dig up or obstruct street.
2.—Porches and entrance ways.
3.—Well or cistern,—not to be open.
4. — No excavation permitted without fence.
5. — Carriages not to obstruct street.
6.—No carriage allowed on sidewalk; nor barrels, boxes, etc.
7.—Carriage not to stop on footways.
8.—Riding not to exceed six miles per hour in street.
9.—Ashes, etc., not to be put in street.
10.—Coal or wood not to remain on sidewalk.
11.—License to move buildings, but no tree to be injured.
12.—Bathing, in public, forbidden.
13.—Gambling forbidden.
14.—License to keep booth.
15.—Fireworks and arms.
16.—Forbidding certain acts.
17.—Indecent writing.
18.—Changes in street or sidewalk not to be made.
19.—Animals not to go at large.
20.—Persons not to collect on sidewalks.
21.—Horses not to be tied to trees.
22.—Gutters to be kept in repair.
23.—Snow, when to be removed from sidewalk.
24.—Penalty.

SECT. 1.—No person, except a surveyor of highways, or other person acting under the authority of the Legislature, or of the city council, shall break or dig up the ground or stones in any street or other way of the city, or erect any staging for building, or deposit any stones, bricks, timber, or other building materials thereon, without license first had and obtained from the mayor and aldermen who are authorized to grant the same on such conditions as they may deem safe and proper.

SECT. 2.—No person shall make, erect or maintain, any doorstep, porch, entrance, or passage-way to any cellar or basement, or any other structure in or upon any street, or other way of the city, without permission in writing from the mayor and aldermen, who shall judge of the propriety of granting the same.

SECT. 3.—No person shall suffer his well, cistern or drain to remain open or uncovered, in any street or other way of the city, without a sufficient curb-guard or fence thereto.

SECT. 4.—No person shall dig or sink any excavation of the earth, or suffer any excavation to exist on his own premises, adjoining or near to any street or way, without a railing or fence, after being notified in writing by the mayor and aldermen that such fence or railing is required for the safety of passers by.

SECT. 5.—No person shall continue any carriage or other vehicle of any description, with or without horses or other animals attached thereto, in any street or way, so as to obstruct the same, after having been requested by any person having occasion to use said street or way, or after having been ordered by the mayor or city marshal, or any one authorized by the city to remove the same.

SECT. 6.—No person shall drive, draw, or pass any cart, barrow, sled, or other such object, on any side-walk of this city, to the obstruction of any passenger, except children's carriages drawn by hand; nor permit any horse or other draught

animal, or any cow to pass thereon while under his care; nor occupy, encumber, or obstruct any street by means of boxes, crates, casks, barrels or other things, or in any other way hinder or obstruct the convenient use of the streets and other ways by all passengers.

SECT. 7.—No person shall stop his team or carriage, or place any other obstruction on or across any flag-stones or other foot ways which have been or shall be laid in any street or way of the city.

SECT. 8.—No person shall ride any horse, or drive any horse or horses attached to any carriage or other vehicle, in any highway, street, or public passage-way in the city, at a rate of speed exceeding six miles per hour; and every person riding or driving a horse in any street or way, shall conduct the same with reasonable care and prudence, so as not to endanger the public safety.

SECT. 9.—No person shall put or place, or cause to be put or placed in or upon any street, way or other public place of the city, any house dirt, ashes, shavings, offal, filth, suds, or any rubbish or like object whatever, except in such place and manner as the mayor and aldermen may prescribe.

SECT. 10.—No person shall suffer his coal or firewood to remain unnecessarily in or upon any street or other way; and no person shall saw or pile wood, or stand a saw horse on any sidewalk to the hindrance or obstruction of any foot passenger.

SECT. 11.—No person shall move or assist in moving any building whatever through any street or way, unless by written permission of the mayor and aldermen, under such restrictions as they may see fit to prescribe; but no permission shall be given, nor shall any building be moved, to necessitate or cause the destruction, mutilation, or injury of any shade or ornamental tree, in or upon any street or highway.

SECT. 12.—No person shall swim or bathe in any of the waters within or adjoining the city, so as to be exposed to the view of spectators, from any street, lane, or building; or to unnecessarily annoy the occupants of neighboring dwelling houses.

SECT. 13.—No person shall expose for use any implements of gambling in any public place of the city, nor gamble in any such place.

SECT. 14.—No person shall place or maintain any stable, stall, booth or other erection, in any public place for any sale or exhibition, without permission of the mayor and aldermen.

SECT. 15.—No person shall fire any rocket, squib, crackers or other thing formed of gunpowder, or other explosive substances, in whole or in part, nor make any bonfire of tar barrels, or any other object; nor, except in the performance of some duty authorized by law, discharge any field-piece, gun, or other fire arms, in or upon any street, or other way within the compactly settled part of the city.

SECT. 16.—No person shall behave himself in a rude or disorderly manner, nor use profane or insulting language, nor designedly frighten any horse, nor within the compactly settled parts of the city, shoot with bows and arrows, play at ball, coast on sleds, fly kites, throw stones or other missiles in any street or other public place, nor be on any sidewalk, doorstep, fence or porch, to the annoyance of other persons.

SECT. 17. — No person shall make indecent figures, or write indecent words upon any fence, building, post, tree or other object, or otherwise deface and injure the same.

SECT. 18.—No person shall remove or erect any post or change the grade of any street or sidewalk, or the direction of any curbstone thereof without permission of the mayor and aldermen.

SECT. 19.—No horse shall be turned out loose, and no horse, swine, goat or cow, or other cattle, shall be suffered to graze or go at large within the city.

SECT. 20.—No persons shall remain collected on any sidewalk, or in front of any church, dwelling house, or other building, so as to obstruct passage along the same, or to impede or annoy other persons.

SECT. 21.—No person shall fasten or tie any horse to, or suffer or permit any horse over which for the time being he has the charge, care or control, to stand or remain near to and within the reach of any ornamental or shade tree standing or

growing in or upon any public street, way, walk, ground or square in said city, unless such tree is protected by a suitable and proper guard, in such a manner as to secure it against possible injury from such a horse.

SECT. 22.—No owner, agent, or person having the care of any building or buildings bordering on any street, lane, court, square or public place within the city, shall after notice thereof by the city marshal or either of his assistants, permit any gutter or conductor thereon to be out of repair for the space of twenty-four hours, Sundays excepted.

SECT. 23.—The tenant, occupant, and in case there shall be no tenant, the owner, agent, or person having the care of any building bordering on any street, lane, court, square or public place within the city, where there is any footway, sidewalk, awning or shade, shall, after the ceasing to fall of any snow, if, in the day time, within four hours, and if in the night time, before twelve o'clock at noon, succeeding, cause the same to be removed from the awning or shade and sidewalk.

SECT. 24.—Any person offending against any of the provisions of this ordinance, shall forfeit and pay for each offense a fine of not less than one dollar, nor more than twenty; *provided*, that complaint for such offense be instituted within six months from the time of its commission.

CONCERNING THE BOARD OF HEALTH.

STATUTES.

1.—Powers formerly vested in the Board of Health transferred to the City Council.
2.—City Council to appoint a Board of Health.
3.—Board may appoint a physician. Compensation, etc.
4.—Board of Health to make regulations respecting nuisances, etc.
5.—Board to give notice of regulations.
6.—Hospitals to be provided by towns.
7.—Board of Health to provide hospital, remove sick, etc.
8.—Board to assign place for exercising offensive trades.
9.—General vaccination to be secured.
10.—Duties of Mayor and Aldermen for this purpose.
11.—Vaccination to be furnished gratis in certain cases.
12.—Board of Health may appoint agent.

1.—The sixteenth section of the city charter provides that all power and authority by law vested in the board of health for the town of Lawrence, or in the selectmen of said town, shall be transferred to, and vested in the city council, to be carried into execution in such manner as the city council shall deem expedient.

2.—The city council may appoint a board of health, or may constitute either branch of such council, or a joint or separate committee of their body, a board of health, either for general or special purposes, and may prescribe the manner in which the power and duties of the board shall be exercised and carried into effect. In default of the appointment of such a board, the city council shall have the powers and perform the duties prescribed to boards of health in towns.

3.—Every board of health may appoint a physician to the board, who shall hold his office during its pleasure. The board shall establish the salary or other compensation of such physician, and shall regulate the fees and charges of persons employed by it in the execution of the health laws and its own regulations.

4.—The board of health may make such regulations as it judges necessary for the public health and safety respecting nuisances, sources of filth, and causes of sickness, and respecting articles which are capable of containing or conveying infection or contagion, or of creating sickness; and whoever violates any such regulation shall forfeit a sum not exceeding one hundred dollars.

5.—Notice shall be given by the board, of all regulations made by it, by publishing the same in some newspaper of its town, or, where there is no such newspaper, by posting them up in some public place in the town.

6.—Any town may establish within its limits one or more hospitals for the reception of persons having a disease dangerous to the public health; and such hospitals shall be subject to the orders and regulations of the board of health, or of a committee of the town appointed for that purpose.

7.—When a disease dangerous to the public health breaks out in any town, the board shall immediately provide such hospital or place of reception for the sick or infected as is judged best for their accommodation and the safety of the inhabitants, and may cause any sick or infected person to be removed thereto, unless the condition of such person will not admit of his removal without danger to his health.

8.—The board of health shall from time to time assign certain places for the exercising of any trade or employment which is a nuisance or hurtful to the inhabitants, or dangerous to the public health, or the exercise of which is attended by noisome or injurious odors, or is otherwise injurious to their estates, and may prohibit the exercise of the same in places not so assigned. All such assignments shall be entered in the records, and may be revoked when the board shall think proper.

9.—Parents and guardians shall cause their children and wards to be vaccinated before they attain the age of two years, and re-vaccinated whenever the mayor and aldermen shall, after five years from the last vaccination, require it. For every year's neglect the party offending shall forfeit the sum of five dollars.

10.—The mayor and aldermen are to enforce the vaccination of all the inhabitants; and whenever, in their opinion, the public health requires it, the re-vaccination of all who do not prove a successful vaccination within five years. All neglecting to comply forfeit the sum of five dollars each.

11.—The means of vaccination are to be furnished to the poor by the city; and all public institutions and incorporated manufacturing companies are, at their own expense, to cause all inmates thereof to be vaccinated immediately on their entrance thereto, unless they can prove successful vaccination within five years before.

12.—Boards of health in the several cities and towns in this Commonwealth, may appoint an agent or agents to act for them, respectively, in cases of emergency, or when such board cannot be conve-

niently assembled; and such agent so appointed shall have and may exercise all the authority which the board of health appointing him had; but he shall, within two days, report his action in each case to the board of health for their approval, and shall be directly responsible to and under the control and direction of the board of health from which he received such appointment.

ORDINANCES—CHAPTER XI.

1.—Mayor and Aldermen to be Board of Health: power of City Physician; how appointed.
2.—Board may declare nuisances.
3.—Privies; how to be constructed.
4.—May vacate crowded tenements.
5.—Permission to open vaults.
6.—When vacant lot or cellar dangerous to health; notice, how given.
7.—Rubbish or dirt not to be removed without license.
8.—Dead animals not to be thrown in waters of city.
9.—Sale of unwholesome provisions or meat, forbidden; fish to be cleaned.
10.—Rubbish and house dirt, how removed. City Marshal may enter buildings.
11.—Penalty for violating certain sections.
12.—Duty of City Physician.
13.—In cases of infectious disease scholars to be vaccinated.

SECT. 1.—The mayor and aldermen of the city are hereby constituted a board of health for the same, with full power to provide for accidents, contagion or infection, remove nuisances or other causes of disease or impurity of air, and generally to possess the powers and perform the duties of boards of health, as defined by the laws of the Commonwealth, except that the city physician shall be appointed annually by the concurrent vote of the two boards of the city council.

SECT. 2.—Any place of deposit for house, shop, or other rubbish or refuse matter, and any drain, privy or vault in any part of the city which shall

appear to the board of health to be unfit, insufficient, or not properly situated, constructed or cleansed, and any cellar or vacant ground, and any hog pen or deposit of manure in the compact part of the city, may in the discretion of said board be declared and deemed a public nuisance, and as such be held subject to all the provisions concerning the removal or abatement of the same provided by the general laws of the Commonwealth.

SECT. 3.—No vault or privy shall hereafter be constructed so that the inside thereof, shall be less than three feet distant from the land of an adjoining proprietor, without his consent, nor less than three feet from any public street or way, nor less than two feet from any passage-way in the rear of the streets; and if constructed at a less distance in either case, the same shall be deemed a public nuisance, and treated as such.

SECT. 4.—Whenever the mayor and aldermen shall find that the number of persons occupying any tenement is so great, or the drain, privy or vault connected therewith so insufficient, as to be the cause of nuisance or sickness, or a source of filth, the board may cause all or any persons occupying such tenement to be removed therefrom, first giving them notice in writing to remove, and allowing them the space of at least forty-eight hours in which to comply with said notice.

SECT. 5.—No vault shall be opened without permission of the city marshal, nor in any other mode, nor at any other time, than such as the mayor and aldermen may direct.

SECT. 6.—Whenever it shall appear to the mayor and aldermen that any cellar, lot or vacant land is in a state of nuisance, or so situated that it may probably become dangerous to the public health, they shall give notice in writing to the owner or his agent, requiring that the same be drained, filled up, or otherwise prevented from becoming or remaining a cause of nuisance or sickness, within such time as they shall appoint, provided that notice to non-resident or unknown owners may be given by advertising in some public newspaper published in Lawrence. And in case the said requisition be not complied with, the board may cause the said work to be done, and shall charge all reasonable expenses incurred in so doing to the several owners or parties occupying such cellar, lot or vacant land.

SECT. 7.—No person shall remove or carry through any street, alley or public place in the city, any house dirt, offal, filth, rubbish or waste matter of any kind, from any dwelling house or other place, unless the person removing the same, and the cart or other conveyance in which the same be carried, shall be licensed for such purpose by the mayor and aldermen, or the same be done by the commissioner of streets, under directions from the mayor and aldermen.

SECT. 8.—No person shall cast any dead animal substance into any street, nor in any of the canals or waters within or adjoining the city, nor cause any animal to be drowned in said canals or waters.

SECT. 9.—No person shall bring into the city for sale, nor offer for sale, any diseased, unwholesome, stale or putrid meat, fish, or other article of provision, nor any fish except salmon and shad, and except smelts and other small fish, that shall not first have been cleansed of their entrails and refuse parts.

SECT. 10.—All house dirt, rubbish, filth and waste matter that may be collected in any house or warehouse, or on private property in the city, shall, if the city marshal, with the approbation of the mayor and aldermen, so order, be carried away therefrom by and at the expense of the owner and occupant of such house, warehouse, or other private property, and removed to such place as may be directed by the marshal as aforesaid, within twenty-four hours after such order. And the city marshal, when thereto ordered by the mayor and aldermen, shall at any time, between sunrise and sunset, enter into any building or other place in the city, for the purpose of examining into, destroying, removing or preventing any nuisance, source of filth or cause of sickness therein. And in case such entrance be opposed, he shall make known such opposition to the mayor and aldermen, in order that a warrant may be obtained to enforce the same, as provided by law.

SECT. 11.—All persons who shall offend against any of the provisions of the fifth, seventh, eighth and ninth sections of this chapter shall forfeit and

pay for each offense a fine of not less than one dollar, nor more than twenty dollars.

SECT. 12.—It shall be the duty of the city physician to attend, under the general direction of the overseers of the poor, upon all sick paupers and patients under the care of the city authorities at the poor house or elsewhere, and to render all the services by law incumbent upon physicians appointed by boards of health.

In case of any alarm of any infectious or contagious disease, to give to either branch of the city council, or any committee thereof, all such professional advice and counsel as they may request of him; to vaccinate all scholars of the public schools that may be sent to him by the school committee for that purpose, and generally to perform such other professional services as may be required of him by the mayor and aldermen or the city council.

EDGE-STONES AND SIDEWALKS.

CHAPTER XII.

1.—City to furnish edge-stones for sidewalks.
2.—Sidewalks—of what material constructed.
3.—If owner fail to complete, city shall finish at his expense.
4.—City Clerk to make record and report to City Council.
5.—Such sidewalks to be accepted, and kept in repair by city; if defect arise from default of abuttor.
6.—Other sidewalks may be accepted; if owners refuse to repair.
7.—City Council may order sidewalk constructed; what proceedings to be had.
8.—Hearing thereon; report.
9.—Assessment of expense; city to assume expense of edge-stones; Treasurer to collect assessment.

SECT. 1.—Whenever the owner or owners of any lot of land, abutting on any public street duly accepted by the city, shall make written application to the city clerk, stating a desire and intention to lay a permanent sidewalk, of stone or brick, or other material acceptable to the city council, in front of said lot, it shall be the duty of the commissioner of streets, under the supervision of the mayor and aldermen, to furnish to said abuttors, as soon as convenient, proper and sufficient edge-stones, and shall cause the same to be laid in conformity to the established width and grade of such sidewalks; the said edge-stones to be furnished and laid at the expense of the city.

SECT. 2.—All sidewalks for which edge-stones shall be furnished and laid, as aforesaid, shall be

constructed of good hard burned brick, or dressed and pointed flag-stones, or other material as the city council may prescribe, under the supervision and to the acceptance of the commissioner of streets.

SECT. 3.—When any edge-stones shall have been furnished and laid, in accordance with the provisions of this ordinance, it shall be the duty of the commissioner of streets to give notice, in writing, to the owner or owners of the abutting lot, and request the completion of said sidewalk. And if said owner or owners shall neglect, for the space of one month, to complete the same, it shall be the duty of the commissioner of streets to cause the same to be laid and completed, and the whole expense thereof shall be paid by the said owner or owners.

SECT. 4.—The city clerk shall make, in a book kept for the purpose, an accurate account of all applications for edge-stones, and it shall be the duty of the street commissioner to make a return to the city clerk, monthly, of all edge-stones provided as above, and the expense thereof, the parties to whom furnished, and the length and location of sidewalk constructed; and the city clerk shall record a detailed account thereof, and annually, on or before the fifteenth day of December, render a report to the city council.

SECT. 5.—All sidewalks constructed in accordance with the provisions of this ordinance, when thus finished and recorded, shall be accepted by the city; *provided*, however, that all repairs of the same, which may be necessary by reason of any defect, or insufficiency in any building adjacent to the sidewalk, or from any other cause, occasioned by the fault or neglect of the owner or tenant of such building, shall be made by the owner or tenant of such building; and if he shall neglect to make such repair for the space of forty-eight hours after due notice of such defect, then said repair shall be made by the commissioner of streets, in behalf of the city, at the expense of such owner or tenant, who shall repay to said city all the costs of such repairs.

SECT. 6.—All sidewalks now paved with brick, or with dressed and pointed flag-stones, or other material acceptable to the city council, and furnished with suitable edge-stones, shall come under the operation and force of this ordinance, when put in repair by the owner or owners of the abutting estates, to the acceptance of the mayor and aldermen, and duly reported to, and recorded by, the city clerk, as above provided. And if the owner or owners of such existing sidewalks shall neglect or refuse to put the same in proper repair and condition after ten days' notice in writing, by the commissioner of streets, or mayor and aldermen, the said repairs shall be made by the commissioner of

streets, and the whole expense thereof paid by said owner or owners.

SECT. 7.—Whenever it shall appear to the city council that the public convenience or necessity requires the construction of a permanent sidewalk of brick or stone, on any public street of the city, the proposition shall be referred to a joint special committee, which committee shall, without delay, appoint a time and place of meeting, and hearing all parties interested therein, and shall cause the city clerk to give notice, in writing, to all persons owning any land or building abutting on, or adjoining which, the said sidewalk is proposed to be built, seven days at least before the time of said hearing, and by causing the said notification to be published in two newspapers in said city; and in case of non-resident or unknown owners, said notice shall be published for the space of three weeks at least before the time of hearing.

SECT. 8.—At the time and place appointed and after notice given as above provided, the committee shall meet and hear all parties interested, claiming to be heard, and if requested, shall proceed to view the premises upon, or in front of which such sidewalk is proposed to be laid. And they shall thereafter report to the city council whether the common convenience and necessity require that the same should be laid, and if they report in favor of building said sidewalk, in whole or in part, they shall also report the dimensions and material of such sidewalk, what portions, if any, is in front

of any vacant land, and at whose expense such portions ought to be built; and the report of such committee shall lie in the city clerk's office, at least seven days before final action be taken thereon.

SECT. 9.—Every sidewalk which the city council may order to be constructed shall be built by the commissioner of streets, or under his direction, of such materials, dimensions and general description, as the city council may have prescribed. And it shall be the duty of said commissioner to keep an exact account of all expenses and outlays required and incurred in building such sidewalks, and when the same shall have been completed, the commissioner shall make a just and equitable assessment upon the owners of all buildings and estates abutting on or in front of which such sidewalk has been built, or the expense of constructing the same, provided, however, that the edge-stones therefor, shall be furnished and laid by and at the expense of the city, and provided, also, that other less assessment shall not in any case have been authorized by the city council, and such assessment shall be at once reported to the city council for confirmation. And when the same shall have been confirmed, the city clerk shall furnish a true copy thereof to the auditor, who shall make a permanent record thereof, and make out and deliver to the city treasurer for collection, a bill against each person so assessed, for the amount of his assessment.

MAIN DRAINS AND COMMON SEWERS.

STATUTES.

1.—Cities may make and maintain common sewers.
2.—Private drains entering sewer to be assessed.
3.—Assessments to be a lien on real estate.
4.—Party aggrieved may have jury.
5.—City may pay part of cost of sewers
6.—Special powers of City of Lawrence.

1.—In any city where the city council have accepted the third, fourth, fifth and sixth sections of the forty-eighth chapter of the General Statutes, the mayor and aldermen may lay, make, maintain and repair all main drains and common sewers, and such drains or sewers shall be the property of the city.

2.—Every person who enters his particular drain into such common sewer, or who, by more remote means, receives benefit thereby for draining his cellar or land, shall pay to the city a proportional part of the charge of making and repairing the same, to be ascertained, assessed and certified by the mayor and aldermen, and notice thereof shall be given to the party so charged.

3.—Assessments so made shall constitute a lien on the real estates assessed, for one year after they are laid, and may, together with incidental costs and expenses, be levied by sale thereof, if the assessment is not paid within three months after a written demand for payment, made either upon the person assessed or upon any person occupying the estate.

4.—A person aggrieved by such assessment may, at any time within three months from receiving notice thereof, apply for a jury. The proceedings are to be the same as in case of land taken for highways, except that the party is to give the mayor and aldermen one month's notice of his intention so to apply, and shall therein particularly specify his objections to the assessment made by them.

5.—The city may provide that such part of the expense of making and repairing common sewers as shall seem fit, shall be paid by the city, without charge to those using the same; and all sewers and drains in a street or highway shall be made of stone or brick, or such other substantial materials as the mayor and aldermen may direct.

6.—The city charter, section 15, gives the city council authority to lay drains and common sewers through streets and private lands, paying the owners such damage as they sustain thereby, and to require all persons to pay a reasonable sum for the privilege of opening any drain into said public drain or common sewer.

ORDINANCES—CHAPTER XIII.

1.—Statute accepted.
5.—Sewers—material and size.
3.—Permission to enter sewer; assessment to be first paid.
4.—Penalty.
5.—Mayor and Aldermen may compel persons to enter sewer; in case of refusal.
6.—Clerk to keep record of assessments; Treasurer to collect.
7.—No sewer built till appropriation made.
8.—Plan of sewers to be made.
9.—Assessment of cost to be made; abuttors to pay two-thirds; notice of meeting to be given.

SECT. 1.—The act of the Legislature of Massachusetts in relation to main drains or common sewers, passed March 17, 1841, being Chapter 115 of the Statutes of 1841, is hereby accepted by the city council of the city of Lawrence, and its provisions are hereby made a part of this ordinance.

SECT. 2.—Every main drain or common sewer hereafter to be constructed under the authority of the city, shall be built of such materials and dimensions and in such manner as the mayor and aldermen may order.

SECT. 3.—Every person who may desire to enter his particular drain into any main drain or common sewer, heretofore built or hereafter to be built, under the authority of the city, may do so on application to and receiving the written consent of the mayor and aldermen; *provided* such person shall

first pay such lawful assessment therefor as may be required of him under the second section of the statutes of this Commonwealth, referred to in section one of this ordinance; and *provided*, also, that in the materials and construction of such particular drain, he shall comply with the directions and conditions that the mayor and aldermen may prescribe.

SECT. 4.—Every person who shall connect his particular drain with any main drain or common sewer aforesaid, without complying with the terms of the last preceding section, shall forfeit and pay the sum of twenty dollars, together with such damages, by way of indemnification, as the mayor and aldermen shall deem reasonable and just, and he shall be liable to have such particular drain at any time closed up and prevented from entering the main drain or common sewer.

SECT. 5.—The mayor and aldermen shall have power in all cases where there is any common sewer in any street, highway, passageway or alley, to cause every owner of land adjoining such street, highway, passageway or alley, his agent or tenant, to make a sufficient drain from his house, yard or lot, whenever in their opinion, the same shall be necessary; and shall thereupon give notice in writing to such owner, agent or tenant, specifying the time within which such drain shall be completed; and in case such owner, agent or tenant shall neglect to complete the same within the time specified, the mayor and aldermen shall cause the same

to be done, and shall recover the whole amount of the expense thereof, together with ten per cent. damages additional, by an action on the case to be brought in the name of the city before any court proper to try the same; *provided*, however, that said additional damages shall in no case exceed twenty dollars.

SECT. 6.—The city clerk shall enter in a book, to be kept for that purpose, all assessments made by the mayor and aldermen, under the second section of the aforesaid act, and shall forthwith make out bills for the same, and deliver them to the city treasurer for collection; and the treasurer shall forthwith demand payment in writing for the said bills, in the manner prescribed by law; and in case any bills or dues under this ordinance remain unpaid at the expiration of three months after such demand, the treasurer shall cause the same to be collected by a resort to the proper legal process.

SECT. 7.—The mayor and aldermen shall in no case proceed to construct a common sewer or main drain, until an appropriation to defray the cost of the same shall have been made by the city council.

SECT. 8.—It shall be the duty of the mayor and aldermen whenever any drain or common sewer, or portion of a drain or common sewer, shall have been completed, to cause an accurate plan of the same to be made, showing its material, its section, its line, its level, and its cost per running foot, which plan is to be deposited in the office of the city clerk.

SECT. 9.—It shall be the duty of the mayor and aldermen whenever any drain or common sewer, or portion of a drain or common sewer, built or repaired by the authority of the city, shall have been completed, and the expense thereof ascertained, to proceed to make assessments for defraying the expense of the same, pursuant to the provisions of this ordinance, and in so doing they shall deduct from the said expense such part, and not less than one-third part, as they may deem expedient to be charged to and be paid by the city, and assess the remainder thereof upon the persons or estates deriving benefit from such drain or common sewer, either by the entry of their particular drains therein, or by any more remote means, and before such assessments shall be made, they shall give public notice of their intention so to do, at least seven days previous to the meeting to be held for such purpose, in two or more newspapers published in the city, and all persons interested shall be entitled to be heard at the said meeting in relation thereto.

ERECTION OF AWNINGS OR SHADES.

CHAPTER XIV.

1.—License to erect awning.
2.—Awnings—how constructed.
3.—Mayor and aldermen may direct removal; if not, may remove.
4.—All to be removed during certain months.
5.—Street Commissioner to examine awnings, annually.
6.—Penalty for violation.

SECT. 1.—No person shall place or maintain any awning or shade over any part of any street or sidewalk in the city of Lawrence, except by express license of the mayor and aldermen, and except as hereinafter provided.

SECT. 2.—All awnings or shades shall be constructed of cloth, canvas, or wood, attached either to iron or wooden frames, securely fastened and supported, and shall not be less than eight feet above the level of the sidewalks over which they are placed; said awnings and shades, if supported by post, shall extend to the outside edge of the sidewalk, and no farther.

SECT. 3.—Any person or persons who shall hereafter erect any awnings or shades over any part of any street or sidewalk, in said city, or shall continue or maintain the same over any such street or sidewalk, shall at all times and in all respects conform to any directions in relation to the construction, maintenance and removal of said awnings and shades which shall be given by the mayor and aldermen. Said awnings and shades

shall at all times be removed by the person or persons erecting or maintaining the same, upon orders given by the mayor and aldermen for such removal; and in case any person so erecting or maintaining such awning or shades, shall neglect to remove the same for the space of forty-eight hours after notice given by said mayor and aldermen for such removal, the said mayor and aldermen may cause such awnings to be removed at the expense of such person or persons neglecting to remove the same.

SECT. 4.—All awnings, whether of wood, cloth or canvas, shall be removed from the streets during the five months of each year, from the first of November to the first of April.

SECT. 5.—It shall be the duty of the street commissioner of the city, to examine, during the month of November of each year, all awnings and shades erected over any street or sidewalks within the city, and to report to the mayor and aldermen the condition of any such awning or shade which in his judgment shall be insufficient or insecure.

SECT. 6.—Any person or persons violating any of the provisions of this ordinance, or any directions which the mayor and aldermen may issue under and by virtue of this ordinance, shall be liable to a fine not exceeding twenty dollars, and to a like penalty for every day that such awnings or shades shall be maintained or continued in violation of the provisions of this ordinance, or of any

order or direction of said mayor or aldermen in relation thereto.

DEALERS IN SECOND-HAND ARTICLES.

STATUTES.

1.—The mayor and aldermen may license dealers in junk, etc.
2.—License to specify place of business, etc.
3.—Record of purchase may be required, etc.
4.—License to contain regulations, etc. Penalty.

1.—The mayor and aldermen of any city which has adopted by-laws therefor, may license suitable persons to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals or second-hand articles, within the limits of their city.

2.—The license shall designate the place where the business is to be carried on, and contain such conditions and restrictions as may be prescribed by such by-laws, and shall continue in force one year, unless sooner revoked. Whoever keeps such a shop without license, or in any place or manner not prescribed by his license, is liable to a fine of twenty dollars for each offence.

3.—Every city or town may provide by ordinance or by-law, that every keeper of a shop for the purchase, sale or barter of junk, old metals or second-hand articles, within their respective limits, shall keep a book, in which shall be written, at the time of every purchase of any such article, a description of the article or articles purchased, the name, age and residence of the person from whom, and the day and hour when, such purchase was made; that said book shall at all times be open to the inspection of the mayor and aldermen of the city, or the selectmen of the town, in which such shop is located, and to any person by them respectively authorized to make such inspection; that every keeper of such shop shall put in some suitable and conspicuous place on his shop, a sign, having his name and occupation legibly inscribed thereon in large letters; that such shops, and all articles of merchandise therein, may be examined by the mayor and aldermen of any city, or the selectmen of any town, or by any person by them respectively authorized to make such examination at all times; and that no keeper of such shop shall, directly or indirectly,

either purchase or receive by way of barter or exchange any of the articles aforesaid, of any minor or apprentice, knowing or having reason to believe him to be such; and that no article purchased or received shall be sold until a period of at least one week from the date of its purchase or receipt, shall have elapsed. Every city and town may also prescribe, in like manner, the hour in which such shops shall be closed, and that no keeper thereof shall make purchase of any of the articles aforesaid during such hours.

4.—Every rule, regulation and restriction which shall be made by any city or town, in accordance with the provisions of this act, in regard to the keeping of, and traffic in, the articles aforesaid, shall be incorporated in every license granted in such city or town for dealing in the said articles. And any person who shall violate either of the rules, regulations, or restrictions contained in his license, as aforesaid, shall forfeit a sum not exceeding twenty dollars for each offence.

ORDINANCES—CHAPTER XV.

1.—Conditions of license; dealers to pay for license—erect sign; give information; not to buy of minor.
2.—Penalty for violation.

SECT. 1.—All licenses which shall be granted by the mayor and aldermen of the city, to any persons to be keepers of shops for the purchase, sale or barter of junk, old metals, or any second-hand articles, and to be dealers therein, shall contain the following restrictions:—

First,—That every person at the time of receiving said license, shall pay therefor the sum of one dollar.

Second,—That every keeper of such shop put in some suitable place a sign designating that he is licensed as such and containing his name.

Third,—That every keeper of such shop shall at all times furnish to the mayor and aldermen, upon their request all the information which he

may possess in relation to the person from whom, and the time when such purchase was made by him.

Fourth,—That no keeper of such shop shall directly or indirectly, either purchase, or receive by way of barter or exchange, any of the articles aforesaid of any minor or apprentice, knowing or having reason to believe him such.

SECT. 2.—Any person or persons having obtained a license under the provisions of this ordinance, who shall violate any of the conditions thereof, shall upon conviction thereof, pay a fine of not less than one, nor more than twenty dollars.

SALE OF WOOD AND BARK.

CHAPTER XVI.

1.—Measurers to be appointed.
2.—Fees.
3.—Places of sale.
4.—Measurers to make return.

SECT. 1.—There shall be appointed annually, and at other times when occasion requires, such number of persons as the city council may decide, to be measurers of wood and bark; any of whom shall be subject to be removed by the mayor and aldermen when it shall appear to them that he is negligent or unfaithful in his office.

SECT. 2.—The fees for measuring each load of wood or bark, and for the ticket, not exceeding two cords, shall be six cents; over two cords, and

not exceeding ten, four cents per cord; said fees to be paid to the measurer by the seller, and repaid by the purchaser.

SECT. 3.—The mayor and aldermen may, in their discretion, assign and prescribe the places for the measurement and sale of wood and bark brought into the city for sale.

SECT. 4.—Measurers of wood and bark shall use a form of certificate of measurement to be furnished by the city clerk; and they shall annually, on the first Monday in January in each year, file in the office of the city clerk a return of the wood and bark measured by them, respectively, during the preceding year.

RELATING TO DOGS.

STATUTES.

1.—Dogs to be registered and licensed.
2.—Licenses for part of a year.
3.—Duty of city clerk as to licenses.
4.—Penalty for not obtaining license.
5.—Penalty for stealing or killing licensed dog.
6.—Assessors to make lists of dogs.
7.—Mayor to cause unlicensed dogs to be destroyed.
8-9.—Rights of injured parties.
10.—City council may make additional laws, etc.

1.—Every owner or keeper of a dog shall, annually, on or before the thirtieth day of April, cause it to be registered, numbered, described and licensed for one year from the first day of the ensuing May, in the office of the city clerk, in the city or town where said dog is kept, and shall cause it to wear round its neck a collar, distinctly marked with its owner's name and registered number, and shall pay for such license, two dollars for a male dog, and five dollars for a female dog.

2.—Any person becoming the owner or keeper of a dog not duly licensed, on and after the first day of May, shall cause said dog to be licensed till the first day of May ensuing.

3.—The city clerk shall issue the license, and receive and pay the money therefor into the county treasury, on or before the first day of December, retaining to his own use twenty cents for each license; and he shall record all licenses issued by him, with the names of the keepers or owners of dogs licensed, and the names, registered numbers and descriptions of all such dogs.

4.—Whoever keeps a dog not so licensed shall forfeit fifteen dollars, to be recovered by complaint, to be paid to the county treasurer.

5.—Whoever wrongfully removes the collar from, or steals a dog so licensed, shall be punished by a fine of fifty dollars; and whoever wrongfully kills, maims, or carries away such dog, is liable to the owner for its value, in an action of tort. Whoever distributes or exposes any poisonous substance, with intent that the same shall be eaten by any dog, is liable to a fine not less than ten nor more than fifty dollars.

6.—Assessors are required, annually, to take a list of all dogs owned or kept within the city on the first day of May, with the owners' or keepers' names; and return the same to the city clerk, on or before the tenth day of July. Any owner or keeper of a dog who refuses to give true answers as to the ownership thereof, is liable to a fine of not less than ten dollars.

7.—The mayor is required, annually, within ten days from the first day of July, to issue a warrant to one or more police officers or constables, directing them to proceed forthwith either to kill, or cause to be killed, all dogs within the city, not licensed according to law; and any person may, and every police officer and constable shall, kill, or cause to be killed, all such dogs, whenever and wherever found. The mayor shall, after issuing his warrant, forthwith certify the fact, under oath to the district attorney, who shall prosecute all officers who fail to comply with this requirement.

8.—Every owner or keeper of a dog shall forfeit to any person injured by it double the amount of damage sustained. Any person may kill a dog that shall suddenly assault him, while he is peaceably walking or riding without the enclosure of its owner or keeper.

9.—Any person so assaulted may, within forty-eight hours afterward, make oath thereto before a justice, and further that he suspects the dog to be dangerous or mischievous, and may give notice by a certificate of such oath, to the owner or keeper of the dog; and such owner or keeper shall kill or confine the dog within twenty-four hours

or forfeit ten dollars. If such dog is afterward found at large, any person may kill it; and if, after such notice, the dog shall injure any person, the owner or keeper shall pay treble damages to the person injured.

10.—The city council may make such additional by-laws and regulations, for the licensing and restraining of dogs, as they may deem expedient, and affix penalities, not exceeding ten dollars for any breach thereof.

ORDINANCES—CHAPTER XVII.

1.—Dogs to have collar, with name of owner; to be muzzled four months in year.
2.—If not, to be destroyed.

SECT. 1.—No person owning or keeping any dog in the city, shall suffer or permit such dog to go at large within the city, without causing a collar to be kept about the neck of such dog, with the name of the owner legibly marked thereon, and from the first of July to the first of November, of each year, no owner of any dog shall suffer the same to run at large, in the city, unless such dog be securely muzzled, under a penalty in either case of not less than one, nor more than ten dollars, together with the costs of prosecution for each offense.

SECT. 2.—It shall be the duty of the city marshal to cause all dogs to be destroyed which shall be found at large within the city, in violation of the provisions of this ordinance.

RELATING TO COMMON CRIERS.

CHAPTER XVIII.

1.—Criers may be licensed.
2.—No one to cry unless licensed.
3.—To keep list.
4.—What forbidden to cry.

SECT. 1.—The mayor and aldermen, from time to time, may license as common criers such number of persons as they may judge to be for the public good; and the licenses so granted shall continue in force until the tenth day of January next after the date of the same; *provided*, however, that the same may at any time be revoked by said board.

SECT. 2.—No person, not licensed as aforesaid, and no person whose license shall have been revoked as aforesaid, shall presume to be a common crier, or to cry any sort of articles, lost or found, stolen goods, strays, or public sales in any of the streets or public places in the city, under a penalty of not less than one nor more than twenty dollars for each offense.

SECT. 3.—Every common crier shall keep a list of all matters and things by him cried, and the names of all persons by whom he is employed to cry the same, and shall exhibit said list to the mayor and aldermen whenever thereto required by said board.

SECT. 4.—No person shall publicly cry any indecent, profane, or libelous matter in this city, under a penalty of not less than one nor more than twenty dollars for each offense.

ACCOUNTABILITY IN EXPENDITURES.

STATUTES.

1.—Objects for which towns may grant money.
2.—In cities, appropriations may be made for shade trees.
3.—Also, for armories, celebrations, etc.
4.—Money for towns and cities, on deposit, may draw interest.
5.—City council to have charge of finances.

1.—Towns are allowed by law to grant and vote such sums as they judge necessary for the following purposes, viz:

For the support of town schools;

For the relief, support, employment and maintenance of the poor;

For laying out, discontinuing, making, altering or repairing highways and town ways;

For procuring the writing and publishing of their town histories;

For burial grounds;

For encouraging the destruction of noxious animals;

For all other necessary charges arising therein.

2.—In any city where the city council, and any town in which the inhabitants have accepted the ninth section of the forty-sixth chapter of the General Statutes, an appropriation may be annually made of a sum not exceeding twenty-five cents for each ratable poll in the place for the year last preceding, for the purpose of setting out and maintaining shade trees on the public squares and highways.

3.—The city council by a two-thirds vote in each branch, voting by yea and nay, may grant and appropriate money for the providing of armories, for the celebration of holidays, and for other purposes of a public nature.

4.—Banks may contract with cities and towns for the payment or receipt of interest, at a rate not exceeding that established by law, upon an account current of money deposited with and drawn from them by said cities and towns.

5.—The eighth section of the city charter provides that the city council shall take proper care that no money is paid from the city treasury unless granted or appropriated, shall secure a just and prompt accountability from all persons trusted with the receipt, custody or disbursement of the money of the city, and shall as often as once a year, publish for the information of the inhabitants, a particular account of the receipts and expenditures, and a schedule of the city property.

ORDINANCES—CHAPER XIX.

1.—When financial year begins.
2.—Committee on accounts appointed; duties of.
3.—Claims to be properly certified
4.—Auditor's account with treasurer; assessors to report all abatements.
5.—Money, how drawn.
6.—Mayor's authority to draw.
7.—To pay interest on principal, or upon contract.
8.—Auditor to report such drafts.
9—All officers to account monthly.
10.—To report to auditor.
11.—Duties of city treasurer; accounts,— reports and deposits.
12—Committee on finance; to negotiate loans.
13.—Annual estimate of appropriations and expenditures.
14.—Duties of finance committee.
15.—Auditor to give bonds.
16.—Treasurer to give bonds.
17.—Clerk to give bonds.

SECT. 1.—The financial year of the city shall commence on the first day of January and end on the thirty-first day of December, including both days, and the books and accounts of the city shall be made up to correspond thereto.

SECT. 2.—There shall be appointed at the commencement of each year a joint standing committee on accounts, consisting of two members of the board of aldermen and three members of the common council, which committee shall meet once, at least, every month, and carefully examine and audit all accounts and claims against the city which shall be laid before them, certified as provided in the succeeding sections; and shall pass and allow the same if found to be correct and justly due.

SECT. 3.—No account or claim against the city shall be received or acted on by the committee on accounts, unless such account or claim shall be accompanied with a certificate of the mayor, or

some officer, committee or agent, authorized on behalf of the city to make the contract or cause the expenditure to be made, that the same is correct.

SECT. 4.—The auditor shall open an account with the treasurer, charging him with the whole amount of taxes for collection, and also with the amount of loans and sums of money which may be borrowed for the city, and securities and sums receivable, in order that the description and nature of all funds belonging to the city may be seen at any time on his books. The assessors shall annually, on the last day of November, or within ten days thereafter, report to the auditor all abatements of taxes made by them.

SECT. 5.—No money shall be drawn out of the city treasury except on the written order of the mayor, addressed to the treasurer, and countersigned by the auditor, and numbered so as to correspond with the number of the account or claim it shall be drawn to pay.

SECT. 6.—The mayor is hereby authorized to draw orders on the treasury for the payment of an account or claim against the city, allowed and certified by the committee on accounts, as provided in first section, but for no account or claim not so certified; nor shall he draw any order in payment for any class of expenditure, beyond the sum specially appropriated therefor by the city council.

SECT. 7.—Any sum of money which shall have been specially appropriated for the payment of principal or interest due on any note or other security of the city or of the town of Lawrence, may be drawn from the treasury and paid by order of the mayor, for the purpose for which it was appropriated; and whenever it shall be necessary to pay money in advance on contract made for work begun but not completed, the mayor upon being satisfied of such necessity, may with the approval of the committee on accounts, draw his order on the treasurer for any sum not exceeding five hundred dollars at any one time.

SECT. 8.—Whenever any money shall be drawn from the treasury for the purpose specified in the foregoing section, the auditor shall report the same and the amount thereof to the committee on accounts, at their next meeting, and shall charge the same under the appropriate head of expenditure.

SECT. 9.—All officers of the city who shall in their official capacity receive any money in its behalf, shall pay to the treasurer the amount in their hands once in each month, and oftener if required. All other persons who shall have in their hands money belonging to the city, shall forthwith pay the same to the treasurer.

SECT. 10.—All officers and agents of the city receiving money in its behalf, shall, once in each month, deliver to the auditor, a report in detail, of the amount received, and of the disposition made thereof, except in cases otherwise provided for.

SECT. 11.—The city treasurer shall, under the direction of the committee on accounts, keep in a book provided for that purpose, an accurate and true account of all his receipts and payments in behalf of the city, making the same conform, in some mode of entry, as nearly as may be, with the accounts kept by the auditor. He shall not pay any money out of the treasury except upon order of the mayor, drawn as prescribed in this ordinance. He shall, once in six months, and oftener if required, lay before the city council a statement of the condition of the Treasury, and all moneys received and paid by him on account of the city during the preceding six months. He shall, under the direction of the committee on finance open an account with some bank in the city of Lawrence, in the name of the "treasurer of the city of Lawrence," and shall keep the moneys belonging to the treasury deposited therein. He shall, from time to time, draw checks as the treasurer of the city of Lawrence, for the money so deposited, to pay the written orders of the mayor, as provided in sections five, six, and seven, but he shall at no time keep in his possession, not deposited as above stated, any sum or sums of money exceeding in all five hundred dollars.

SECT. 12.—There shall be appointed at the commencement of each financial year, a committee on finance, consisting of the mayor, one member of the board of aldermen, and five members of the common council, which committee shall nego-

tiate all loans to the city which may be authorized by the city council, and shall report the same to the city treasurer.

SECT. 13.—The committee on finance shall, in the month of January, annually, prepare and lay before the city council an estimate of the amount of money necessary to be raised for the current financial year, under various heads of appropriations, and the ways and means of raising the same.

SECT. 14.—The committee on finance shall ascertain whether all moneys due the city have been collected and accounted for; and they shall examine all notes and securities in the hands of all officers belonging to the city, and make report thereof to the city council.

SECT. 15.—The auditor shall give bonds in the penal sum of one thousand dollars, for the faithful performance of all duties prescribed for him in this ordinance, and the delivery to his successor, of all books, papers, and property belonging to said office.

SECT. 16.—The city treasurer and collector shall give bonds with sufficient sureties in the sum of twenty thousand dollars, to the satisfaction of the mayor and aldermen, for the faithful performance of the duties of said office of treasurer and collector, and that he will truly and justly account for all moneys that may come into his hands.

SECT. 17.—The city clerk shall give bonds in the penal sum of two thousand dollars for the faithful performance of duties prescribed for him

in the city charter, and the delivery to his successor of all books, papers, and other property belonging to said office.

DEFINING THE DUTIES OF COMMITTEES.

CHAPTER XX.

1.—School houses to be in charge of school committee.
2.—Engine houses to be in charge of board of engineers; permission to take engine from city.
3.—Duty of committee on streets.
4.— Public property, — duty of committee on.
5.—When purchase or repair exceeds one hundred dollars.
6.—Who to purchase and sell property.
7.—Expenditure not to be made unless.
8.—Contracts to be made in writing and not altered, except.

SECT. 1.—The school committee shall have general superintendence and control of the school houses and the property thereto belonging, and may make such alterations, additions or repairs, as they may deem necessary.

SECT. 2.—The engineers shall have general superintendence and control of the engines and apparatus connected therewith,—of the buildings used for the purposes of the fire department,—and of the furniture thereto belonging; but shall not remove, or allow any company to remove their engine, or other apparatus, out of the city, except

to extinguish fires, without permission of the board of mayor and aldermen, and in no case shall more than one engine at a time be taken from the city, except in case of fire or needed repairs.

SECT. 3. — The joint standing committee on streets shall have the control and custody of the city stables and the public property of the city in the street department, with power to make such alterations, repairs, sales, or purchases, as they may deem desirable and necessary.

SECT. 4.— The joint standing committee on public property shall have the charge and superintendence of all the public buildings and other property belonging to the city, not by law or ordinance otherwise provided for; may sell or let such as may be legally let or sold; may make such purchases, additions, or repairs as they may deem expedient.

SECT. 5.—Whenever any purchase, sale, alteration, addition or repair, shall exceed in amount the sum of one hundred dollars, the same shall be made or authorized by no committee, unless the city council shall have ordered or have made special appropriation for the same; *provided*, however, that the provisions of this section shall not apply to the purchase of fuel by the school committee or committee on public property.

SECT. 6.—The purchase of any land, the purchase or erection of any building, and any alterations and repairs on the city hall, school, or engine houses, or other public buildings, when the same

shall exceed in amount the sum of one hundred dollars, shall, unless otherwise directed by the city council, be made under the direction of the committee on public property.

SECT. 7.—No expenditure shall be made or incurred, for and in behalf of the city, in any of the above mentioned departments, unless by the provisions of this ordinance, or otherwise duly authorized.

SECT. 8.—In all cases where the amount of any contract for the erection, alteration or repair of any building, or for purchase of any property, shall exceed the amount of three hundred dollars, the contract for the same shall be in writing, signed in behalf of the committee by the chairman; and no such contract, after the same shall have been signed by the parties, shall be altered in any particular, unless a majority of said committee shall signify their assent thereto in writing, with their respective signatures endorsed on the back of the contract.

TRUANT CHILDREN.

CHAPTER XXI.

1.—Truants may be sent to almshouse.
2.—Truant officers.
3.—Habitual truants,—how punished.

SECT. 1.—The almshouse in said Lawrence is hereby established, assigned, and provided as the

institution of instruction, house of reformation or suitable place for the restraint, confinement, and instruction of any minor convicted of being an habitual truant, or any child convicted of wandering about in the streets or public places of said city, having no lawful occupation or business, not attending school, and growing up in ignorance, between the ages of seven and sixteen years.

SECT. 2.—The mayor and aldermen shall, in the month of January, annually, appoint three or more persons to be called truant officers, each of whom alone shall be authorized in case of violation of any of the provisions of this ordinance, to make the complaint and carry into execution the judgment thereon.

SECT. 3.—Any minor in the city of Lawrence who is an habitual truant, or has not attended school in conformity to the laws of this Commonwealth, or any child found wandering about the streets or public places in said city, having no lawful occupation or business, not attending school, and growing up in ignorance, between the ages of seven and sixteen years, shall, on conviction thereof, be punished by a fine not exceeding twenty dollars, or be committed to the almshouse, aforesaid, for such time not exceeding two years as the Justice or court trying the case may determine.

[APPROVED BY JUSTICE OF SUPREME COURT.]

ASSESSMENT AND COLLECTION OF TAXES.

STATUTES,—ASSESSMENT.

1.—Who are liable to poll tax.
2.—Amount of poll tax.
3.—Poll tax of minors.
4.—All property taxable, except, etc.
5.—Taxes on real estate.
6.—Taxes on personal estate.
7.—Provision for overlayings.
8.—Cash valuation to be made.
9.—Rule of abatements.
10.—Reassessments, vitiation, etc.
11.—If return not made, etc.
12.—What income taxable.

1.—A poll tax shall be assessed upon every male inhabitant of the Commonwealth above the age of twenty years, whether a citizen of the United States or an alien, in the place where he is an inhabitant on the first day of May in each year. Persons who by reason of age, infirmity or poverty, are judged to be unable to contribute to the public charges, and all Indians, are exempted from poll tax.

2.—The poll tax of a minor liable to taxation is to be assessed to his parent, master or guardian, in his place of residence. If there is no such parent, master or guardian, the minor is to be personally taxed. The poll tax of other persons under guardianship is to be assessed to the guardian in the place of his own residence.

3.—The amount of the poll taxes in any year shall be, as nearly as possible, one-sixth of the whole sum to be raised; but the whole poll tax assessed upon an individual in one year, except highway taxes separately assessed, shall not exceed two dollars. One sixth of all highway taxes may be added to the poll taxes, above this amount; but this can only be done when the assessment is separately made, and not in case of an appropriation.

4.—All property, real and personal, of the inhabitants of this State, not expressly exempted by law, shall be subject to taxation.

5.—Taxes on real estate shall be assessed in the city or town where the estate lies, to the person who is either the owner or in possession thereof on the first day of May. Mortgagors of real estate shall, for the purposes of taxation, be deemed owners until the mortgagee takes possession after which the mortgagee shall be deemed the owner.

6.—All personal estate, within or without this State, shall be assessed to the owner in the city where he is an inhabitant on the first day of May, except such as is exempted by law.

7.—The assessors may add to the amount of a tax to be assessed such sum, not exceeding five per cent. thereof, as any fractional divisions of the amount may render convenient in the apportionment.

8.—The assessors of each place shall at the time appointed make a fair cash valuation of all the estate, real and personal, subject to taxation therein. They shall give seasonable notice before proceeding to make an assessment, requiring the inhabitants to bring in to them, within a time specified, true lists of all their polls and estates, real and personal, and not exempt from taxation. They shall always require such list to be sworn to by the party presenting it, and shall receive the same as true, provided he does not refuse to answer all necessary inquiries on being sworn.

9.—A person aggrieved by taxation may have an abatement, if the assessors see just cause therefor; and if legal costs have accrued before the application, the party shall pay the same. But no abatement shall be made unless the list above required has been duly filed, nor unless the application is made within six months from the date of the tax bill.

10.—Every tax except a poll tax, which is invalid by reason of any error or irregularity in the assessment, and which has not been paid, or which has been recovered back, may be reassessed by the assessors for the time being in the manner which would have been proper in the first instance. And whenever by any erroneous or illegal assessment, a party is taxed more or less than his due proportion, the tax is void only to the extent of the illegal excess.

11.—When the assessors have given due notice to the inhabitants to bring in lists according to law, they shall not afterwards abate any part of the tax assessed on personal estate to any person who did not bring in such list in time, unless the tax exceeds by more than fifty per cent. the amount which would have been assessed in the case, if the list had been reasonably presented. If there is more than fifty per cent. excess, they may abate all above the said fifty per cent., but no more. Reasonable excuse for not bringing in said list may, however, be entertained.

12.—So much of the salary or income of any taxable person derived from a profession, trade, or employment as exceeds the sum of one thousand dollars is taxable by city assessors, but incomes derived from the sale of merchandise, from rents and profits of real estate, or from investment of moneys which are taxable are not subject to taxation.

COLLECTION.

1.—Treasurer may be Collector.
2.—Collector to complete collection, though term expire.
3.—Error in name not to defeat collection.
4.—Distress and sale of goods.
5.—Arrest and imprisonment of delinquent.
6.—Conditions of discharge.
7.—Lien on real estate.
8.—Redemption after sale for taxes.
9.—Interest to be charged on delinquent taxes.
10.—Assessors may order collection forthwith.

1.—A town may appoint its treasurer collector of taxes, and he may appoint deputies who shall give such bonds as the selectmen think proper. Such collector and deputies have all the powers ordinarily vested in collectors. All such means may be used by a collector who is not treasurer, when the town so orders.

2.—A collector shall, unless removed from office according to law, complete the collection of taxes committed to him, although his term of office expires before such completion.

3.—If, in the assessor's list, there is an error in the name of a person taxed, the tax so assessed may be collected of the person intended to be taxed, if he is taxable and can be identified by the assessors.

4.—If a person refuses or neglects to pay his tax, the collector shall levy the same by distress or seizure and sale of his goods. The following are exempt from seizure: The tools or implements necessary for his trade or occupation, beasts of the plow necessary for the cultivation of his improved lands, military arms, utensils for housekeeping necessary for upholding life, and bedding and apparel necessary for himself and family.

5.—If a person refuses or neglects for fourteen days after demand to pay his tax, and the collector cannot find sufficient goods upon which it may be levied, he may take the body of such person and commit him to prison, there to remain until he pays the tax and charges, or is discharged by order of law.

6.—A person so committed is entitled to discharge in the same manner as if committed on an execution. In that case, the collector is himself liable for the tax and charges, unless the commitment was made within one year after the commitment of the tax to him, or unless he is therefrom exonerated by due authority.

7.—Taxes are a lien on real estate for two years after commitment and the estate may be sold therefor if the tax is not paid within fourteen days after demand. The lien continues, however, where the property has not been alienated, and the collector may sell after the two years are expired.

8.—The owner of real estate so sold for taxes may redeem at any time within two years thereafter, by tendering or paying to the purchaser the sum paid, with ten per cent. interest and all necessary intervening charges.

9.—In all cases when a time is fixed by the city for the taxes to be paid, interest shall be charged on all such as are not paid by the time prescribed; to be never at a rate less than six per cent., or greater than one per cent. a month. Such interest becomes a part of the taxes to which it is added, and is to be collected under the same provisions of law.

10.—When the credit of a person taxed is considered doubtful, by the assessors, they may order the collector forthwith to compel payment by distress or imprisonment, whether the tax is made payable immediately, at a future day, by instalments, or otherwise.

ORDINANCES—CHAPTER XXII.

1.—Assessors shall organize by the choice of a chairman and clerk.
2.—Assessors to complete valuation and assessment list, and make out and deliver bills to parties assessed.
3.—Assessors shall hold at least three public sittings to consider claims for abatement.
4.—Taxes—when due and rate of interest thereon.
5.—Duties of the collector of taxes.

SECT. 1.—The assessors shall meet as soon as practicable after the vacancy occurring each year shall have been filled, and organize themselves into a board by the choice of a chairman and clerk. It shall be the duty of the chairman to call all meetings of the board, to preside over the same, and to report to the auditor previous to the thirty-first day of December, a detailed statement of the number of polls, the valuation of all property, the rate of taxation, and the total amount of taxes and abatements. The clerk shall keep a record of the doings of the board of assessors in the regular order of business, which record shall be a faithful account of all transactions of the board.

SECT. 2.—It shall be the duty of the assessors to make a list of the ratable polls, and complete their valuation and assessment list in the manner provided by the laws of this Commonwealth, and give into the hands of the collector before the first day of August in each year, said list, alphabetically arranged, with all additions properly proved and certified, and their warrant for the collection of the same annexed, and, before the fifteenth day of August, in each year, they shall fill out and deliver to all parties assessed for any tax, and who are residents of this city, or leave at their last usual place of abode or business, a bill of said tax, with the demand of the collector annexed, and such notification shall be equivalent to a special demand therefor by the collector. They shall, likewise, do all things required of assessors by the laws of this Commonwealth, but, if, by any such law passed after the salary of assessors shall have been fixed, any extra and unusual duty is required of them, they shall be entitled to fair compensation therefor.

SECT. 3.—The assessors shall have at least three public sittings to hear claims for abatement, and shall give public notice of the time and place of said meetings; but they shall not be required to consider the claims of parties who have neglected to file schedules of their taxable property unless good reason is shown for failure so to do. The assessors shall keep a record of all abatements made, which record shall give, in each instance, the

name of the party assessed, the whole amount of his tax, and the amount abated, with the reason therefor.

SECT. 4.—Poll taxes committed to the collector, in the manner provided in section second of this ordinance shall be due and payable *on demand*, and, in case of neglect or refusal so to pay the same, the collector shall issue his warrant for the collection thereof, according to the statute in such case provided. All property taxes shall be due and payable on or before the first day of October in each year, and, if any tax other than a poll tax shall be due and unpaid after the said first day of October, the collector shall issue a summons to the person, or corporation owing the same, and, if said tax and the sum of twenty cents for said summons be not paid within ten days after the service of said summons a warrant shall be issued for the collection of the same in the manner prescribed by the laws of the Commonwealth, and, in all cases the Collector shall exact the payment of interest thereon, at the rate of one per cent. per month, from and after said first day of October, and such interest together with the cost of summons, and the same fees for collection that are allowed on executions, shall be considered a part of such taxes, and all provisions of this ordinance relating to the collection of the original taxes shall likewise apply to interest and costs charged thereon under the provisions of this ordinance.

SECT. 5.—The city treasurer shall be the collector of taxes, and shall do all things required of him by the laws of the Commonwealth and the city ordinances, and all taxes, rents and other sums payable to the city, not otherwise specially provided for, are hereby made payable at the office of said treasurer, who shall pay all collections on account of taxes into the treasury as received, and shall record, each day, the sums so received in detail; he shall report each month to the auditor, and shall lay before the city council a semi-annual and an annual report or account current. He shall, in all things, carry out the requirements of the assessors' warrant, and he may, for this purpose, pursue any of the remedies by law in such case provided.

REVISION OF ORDINANCES.

CHAPTER XXIII.

1.—What are to be ordinances; change not to affect acts committed prior.
2.—To take effect on passage.

SECT. 1.—The foregoing ordinances, comprised in chapters one to twenty-two, inclusive, being a revision of the various ordinances of the city, are hereby declared to be the complete and only ordinances of the city of Lawrence, and all ordinances or parts of ordinances, heretofore adopted, and not

included herein, are hereby repealed, *provided*, that neither said repeal or anything in this ordinance contained shall affect any prosecution pending, or liability or penalty incurred for any act done, or apply to any offense committed prior to the time this ordinance shall take effect.

SECT. 2.—This ordinance shall take effect from and after its passage.

[PASSED JUNE 18, 1866.]

RELATING TO SWINE.

CHAPTER XXIV.

1.—Swine must be licensed.
2.—The mayor and aldermen may license.
3.—Fines for keeping swine without license.

SECT. 1.—No person shall keep any swine within the limits of the city, without a written license from the Mayor and Aldermen.

SECT. 2.—The mayor and aldermen may, at their discretion license any person or persons to keep swine in the city, at such places as may be designated in such license, whenever in their opinion the circumstances under which said swine are to be kept, are such as not to endanger the public health or produce any public inconvenience; and all licenses so granted shall be revocable at the

pleasure of said board; and if not previously revoked, shall expire on the first day of April annually.

SECT. 3.—Any person not licensed as above provided, who shall keep any swine in the city after the expiration of twenty-four hours after notice from the city marshal to remove the same, shall forfeit and pay for each offense a sum not exceeding twenty dollars.

[PASSED NOVEMBER 23, 1866.]

PROTECTION OF THE COMMON.

CHAPTER XXV.

1.—No person to injure any tree, shrub, plant or fixture.
2.—No game or sport, except on parade ground.
3.—No stone, sand, or rubbish to be thrown in the pond; or dog to swim in it; or fish to be taken out.
4.—Cleaning carpets on the common, or fence.
5.—Penalty for violation of ordinance.

SECT. 1.—No person shall injure, deface, or destroy any shade or ornamental tree, shrub, or any plant or fixture on the common, except by direction of the board of managers.

SECT. 2.—No person or persons shall engage in any game of ball, foot-ball, or any other athletic sports on any part of the common, except the parade ground.

SECT. 3.—No person shall throw any stone, sand, earth, filth, rubbish, or other substance, in or upon the pond on the common, or entice dogs to swim in, or take out or injure any of the fish in

said pond, without the consent of the board of managers.

SECT. 4.—No person shall shake, or otherwise cleanse any carpet on the common, or upon the fence enclosing the common.

SECT. 5.—Any person who shall offend against any of the provisions of this ordinance shall forfeit and pay for each offense, a sum not less than one, nor more than twenty dollars.

[PASSED JUNE 19, 1868.]

HYDRANTS, RESERVOIRS, AND THE POND ON THE COMMON.

CHAPTER XXVI.

1.—Not to open hydrants, or remove cover.
2.—No water to be taken from the pond on the common.

SECT. 1.—If any person shall open any hydrant, or lift or remove the cover of any hydrant or reservoir belonging to the city, without authority from the board of engineers, except in case of fire, such person or persons shall be liable to a penalty of not less than five nor more than twenty dollars.

SECT. 2.—If any person shall take out, or cause to be removed, any of the water in the pond on the common, except in case of fire or by permission from the board of managers, such person or persons shall be liable to a penalty of not less than three nor more than ten dollars.

[PASSED AUGUST 14, 1868.]

REDUCTION OF THE CITY DEBT.

CHAPTER XXVII.

1.—Constituting a committee on the city debt.
2.—Amount to be appropriated for payment of city debt.
3.—Auditor to credit money to committee.
4.—Committee authorized to lend money to the city.

SECT. 1.—The mayor, one alderman, (who shall be a member of the committee on finance,) and the president of the common council, shall constitute a committee to be called the committee on the reduction of the city debt, whose duty it shall be to cause all moneys passed to their credit in the books of the auditor of accounts to be applied to the purchase or payment of the capital of the debt of the city in the manner they may from time to time deem expedient. It shall be the duty of the auditor and of the treasurer of the city to conform to all orders in writing, in this respect, which shall be made and signed by all the members of said committee.

SECT. 2.—All balances of money remaining in the treasury at the end of any financial year, all receipts in money on account of the sale of real estate of any description now belonging, or which may hereafter belong to the city, and also of the annual city tax in every future year a sum that shall not be less than five per cent. of the amount of the principal of the city debt, and not less than ten thousand dollars in any one year, shall be, and the same hereby are appropriated to the payment or purchase of the capital of the city debt.

ECT. 3.—It shall be the duty of the auditor annually to pass to the credit of the committee on the reduction of the city debt all receipts in money the proceeds of either of the sources before mentioned, and the said amount of the annual tax: and the sums so passed to the credit of the said committee shall be drawn from the treasury of the city for the payment or purchase of the capital of the city debt in the manner before mentioned, and in no other mode and for no other purpose whatever.

SECT. 4.—The committee on the reduction of the city debt are hereby authorized to lend on interest, to the treasurer of the city, any amount so passed to their credit, as aforesaid, which may not be immediately wanted for the purchase or redemption of said debt.

[PASSED OCTOBER 7, 1869.]

THE FIRE ALARM TELEGRAPH.

CHAPTER XXVIII.

1.—Fire alarm telegraph an independent department.
2.—Election of superintendent; his salary.
3.—Superintendent's duties.
4.—No person to open signal boxes or appurtenances.
5.—Penalty for violation.

SECT. 1.—The fire alarm telegraph, and all the machinery, apparatus, tools, and materials thereto belonging, shall be considered an independent department, and shall be under the care and control

of a committee, consisting of the mayor, and president of the common council, under whose direction and advice, the superintendent, as hereinafter provided, shall act, in all general matters pertaining to the same, and in the selection of persons to whom shall be entrusted the keys of the signal boxes, subject however, at all times to any special order of the city council.

SECT. 2.—There shall be elected annually, in the month of January, by concurrent vote of the two branches of the city council, a superintendent of the fire alarm telegraph, who shall hold his office for one year, or until a successor shall be elected, unless sooner removed; and said superintendent shall receive such compensation as shall be determined by the city council, and the salary for the year 1870 shall be three hundred dollars.

SECT. 3.—Said superintendent shall have the charge of the fire alarm telegraph, under the direction of the before-named committee, and shall be held responsible that the same be kept at all times in thorough repair, and complete working order.

SECT. 4.—No person, not duly authorized, shall open any signal box, nor pull the slides therein, for the purpose of giving a false alarm, nor tamper or meddle with said fire alarm telegraph, nor any of the machinery or appurtenances connected therewith, nor injure by breaking, cutting, or in any way defacing the same.

SECT. 5.—Any person who shall be guilty of a breach of the provisions of this ordinance, shall forfeit and pay a fine of not more than twenty dollars for each offense.

[PASSED DECEMBER 16, 1869.]

General Statutes.

AMUSEMENTS.

1.—Mayor and aldermen may license shows.
2.—Penalty for unlicensed shows.
3.—Masked balls forbidden.
4.—Shows of fighting of birds, etc., forbidden.

1.—The mayor and aldermen may license theatrical exhibitions, public shows and amusements of every description to which admission is obtained by the payment of money, upon such terms as they deem reasonable, and may revoke such license at pleasure.

2.—The setting up of any such show without such license, subjects the party to a fine of five hundred dollars. If intoxicating liquors are sold, or exposed for sale, at such exhibition, with the consent of its managers, the show itself not being licensed, the party getting up the exhibition is liable to five hundred dollars fine or two years' imprisonment. This does not authorize any license for the sale of prohibited liquors at such exhibition.

3.—All masked balls, or assemblies, where the company wear masks or disguises, and to which

admission is had by the payment of money, are forbidden, under penalty of five hundred dollars fine for the first offense, and for any subsequent offense, one year's imprisonment.

4.—The getter up of any exhibition of the fighting of birds or animals is punishable by fine of one hundred dollars or imprisonment for six months; and all those present at such exhibition are liable to a fine of ten dollars each.

ARMORIES.

1.—Armories to be provided.
2.—Return to be made to Adjutant General.
3.—Rent of armories to be reimbursed by State.
4.—Penalty for fraudulent returns.
5.—Armories, &c, how examined.

1.—The mayor and aldermen shall provide for each company of militia, within the city, a suitable armory, for the deposit of the arms and equipments furnished by the State. When a company is formed from different places, the location of such armory shall be determined by the majority of its members.

2.—The mayor and aldermen are to certify to the adjutant general, in October or November, under oath or affirmation of at least two members of the board, the name of each company furnished with an armory, the sum paid as rent therefor, and that

a majority of their board consider such armory necessary, and the rent fair and reasonable, according to the valuation of real estate in the place.

3.—The adjutant general, after examination and inquiry, shall allow such rents, in whole or in part, in no case exceeding three hundred dollars for one company. Within ten days after, he is to file a certificate of allowance with the auditor, and the amount is then to be paid to the mayor and aldermen according to law.

4.—Money so obtained under false returns, is forfeited by the city fourfold.

5.—The commander-in-chief may at any time detail an officer to examine any armory and report the condition thereof, and of the arms, equipments, and equipage, therein deposited.

AUCTIONEERS.

1.—Mayor and aldermen may license auctioneers.
2.—If they refuse, county commissioners may license.
3.—Auctioneers to give bonds.
4.—Penalty for malpractice.
5.—Goods illegally sold.
6.—Penalty for sale without license.
7.—License may prescribe place of sale.

1.—The mayor and aldermen may, in writing, license one or more suitable persons to be auctioneers within the city, and may receive for each license the sum of two dollars to the use of the

city. Each license is to be recorded in a book kept for that purpose.

2.—If on application made in writing they unreasonably refuse to grant a license, the applicant may, after giving them fourteen days' notice and bonds to pay all costs, apply to the county commissioners, who, upon a hearing, may grant a license.

3.—Each auctioneer shall, if required, give reasonable bonds to the city treasurer, with condition that he shall fully conform to the law in regard to auctioneers.

4.—An auctioneer who knowingly receives goods from a minor for sale, or sells his own goods before sunrise or after sunset, forfeits a sum not exceeding two hundred dollars to the use of the city.

5.—Goods sold by auction contrary to the provisions of the fiftieth chapter of the General Statutes, may be seized by the mayor and aldermen and libelled.

6.—Selling or attempting to sell without license, subjects the offender to a forfeit not exceeding five hundred dollars. This does not extend to public officers required by law to sell real or personal estate.

7.—The mayor and aldermen may grant their licenses with condition as to the place where the sale shall be made; and if the auctioneer sells elsewhere he shall be held to have acted without license and may be treated accordingly.

BRIDGES.

1.—Towns to support bridges.
2.—Towns, disagreeing, may have decision from county commissioners.
3.—Town may forbid fast driving over bridges.
4.—Must post sign to enforce penalty.

1—Bridges in highways shall be kept in repair at the expense of the town or city where they are situated, when other provision is not made therefor.

2.—Two or more towns, required to maintain a bridge upon a highway or town-way, and differing as to the modes or time of so doing, may apply to the county commissioners having jurisdiction in the case, who may pass such orders on the subject as the public good requires; and such orders shall be final.

3.—Any town may prohibit persons from riding or driving horses at a rate faster than a walk over any bridge therein which shall have cost not less than five hundred dollars; and may annex penalties for the breach of such regulation, not exceeding one dollar for any one offense.

4.—The prohibition must be made known by a conspicuous sign-board at each end of the bridge, or the penalty cannot be enforced.

BUILDINGS.

1.—Stables for more than four horses, in any one place, must be licensed.
2.—Removal of snow from roofs may be provided for.
3.—Buildings not to obstruct the streets.
4.—May be pulled down in case of fire.
5.—Balustrades may be regulated.

1.—Whoever erects, occupies or uses, a building for a stable for more than four horses, in any city or town, except in such part thereof as the mayor and aldermen or selectmen direct, shall forfeit a sum not exceeding fifty dollars for every month he so occupies or uses such building, and in like proportion for a longer or shorter time.

2.—Cities and towns may make by-laws for the removal of snow and ice from the roofs of buildings, and to prevent the falling thereof, in such portions of their limits, and to such extent as they may deem expedient.

3.—A surveyor of highways is authorized to remove, generally, any and every thing whatsoever from any part of a highway or street which incumbers or obstructs the same so as to hinder, incommode or endanger persons traveling thereon. This provision includes buildings or parts thereof, as well as materials or temporary erections used in their construction and repair.

4.—Any house or building may be demolished in order to prevent the spread of a fire, when in the judgment of any three firewards, it may be necessary.

5.—The city council may make such regulations for the erection and maintenance of balustrades upon the roofs or sides of buildings as the public safety require. Such rules must be published sixty days, in some newspaper printed in the city or county, before taking effect.

CARRIAGES.

1.—Drivers, meeting, must turn to the right.
2.—If moving in the same direction to pass to the left.
3. — Sleighs and sleds to have bells.
4.—Coachmen not to leave horses without charge.
5.—Power of cities to regulate carriages.
6.—Power of cities to regulate fast driving.

1.—The drivers of carriages meeting on a bridge or road must seasonably drive their respective vehicles to the right, so as to pass without interference.

2.—The driver of a carriage passing another carriage travelling in the same direction must drive to the left, and if the road is sufficiently wide for the two to pass, the leading one shall not willfully obstruct the way.

3.—Drivers of sleighs or sleds are required to have at least three bells attached to some part of the harness.

4.—If the driver of any vehicle for the conveyance of passengers for hire, leaves the horses

thereof without some suitable person in charge of them, or without being safely and prudently fastened, when any passenger is within or upon the vehicle, he is punishable by fine or imprisonment.

5.—The mayor and aldermen of a city may make regulations for all carriages and vehicles used therein, either with or without animal power, with penalties for violations thereof, not exceeding twenty dollars for one offense. They may receive, annually, one dollar and no more for a license granted by them to any person to set up and use any carriage within the city. Such rules must be published at least one week in some newspaper before becoming operative. The city council may also make by-laws on the same subject.

6.—The city may prohibit riding or driving in any of the public ways at a rate of speed deemed inconsistent with the public safety or convenience, under such penalties as may be thought fit. Any violator of such ordinance may be apprehended by a sheriff or his deputy constable, police officer or watchman, without a warrant, and may be kept in custody twenty-four hours and afterward brought to trial.

COAL.

1.—Mayor and aldermen shall appoint weighers, etc.
2.—Coal to be weighed by sworn officer.

1.—The mayor and aldermen shall appoint one or more persons, not sellers of coal, to be weighers of such coal, who shall be sworn, and removable at the pleasure of the board. They may establish their fees.

2.—Any person selling anthracite or other mineral coal, shall, *if the buyer so requests*, have said coal weighed by a sworn weigher, not the seller, *nor in his employ*, and said weigher's certificate of the weight thereof shall be delivered to the buyer at the same time with the coal. *But the coal need not be so weighed, if both buyer and seller mutually agree to waive the right herein secured.*

CONSTABLES.

1.—Mayor and aldermen to appoint constables, etc.
2.—Mayor may remove a constable.
3.—Certain persons exempt.
4.—Penalty for refusing to serve.
5.—Bonds required. General powers and duties.
6.—May command assistance. Not limited by town boundaries.
7.—Special duties.
8.—Disqualifications.
9.—Falsely personating constable.

1.—By the eighth section of the city charter,

the mayor and aldermen have full and exclusive power to appoint a constable and assistants, or a city marshal and assistants with the powers and duties of constables, and all other police officers, and the same remove at pleasure.

2.—The mayor may, with the consent of the board of aldermen, remove from office a constable, for gross misconduct.

3.—No person in commission for any office of this State or the United States, or a member of the council, the senate or the house of representatives, or a minister of the gospel, or an engineman, or a member of the fire department, or who has been a constable or collector of taxes, within seven years next preceding, shall be obliged to accept the office of constable.

4.—Whoever is chosen constable, and is able to perform the duties thereof, and not exempt, if he refuses to take the oath and serve shall forfeit twenty dollars.

5.—When a constable shall give a bond with sureties, for a sum not less than five hundred dollars, and the same shall be approved by the mayor and aldermen and filed with the city clerk, he may proceed to serve civil processes, generally, in which the matter in question does not exceed one hundred dollars. He may also serve warrants in criminal cases, though the town, etc., in which he belongs may be a party interested. He shall serve all coroners' warrants, and all venires for jurros.

6.—A constable may require aid from bystanders in the execution of his duty, and whoever refuses shall be liable to a fine of fifty dollars, or imprisonment for one month. He may pursue and apprehend, under his warrant, an alleged offender in any place in the Commonwealth. He may convey a prisoner beyond the limits of his town, either for trial or commitment.

7.—Constables are bound to enquire into all offenses against a due observance of the Lord's day; and to make complaint of all known injury to any property of the humane society.

8.—Constables are exempt from service as jurors, and are forbidden to appear as counsel in any case in court.

9.—Any person falsely assuming to be a constable shall be liable to a fine of four hundred dollars or imprisonment for one year.

ELECTIONS—QUALIFICATIONS FOR.

1.—Qualification of voters.
2.—Collectors to give receipts.
3.—Duties of Mayor and Aldermen under City Charter.
4.—Lists of voters to be corrected, and how.
5.—Naturalization papers to be produced.
6.—New assessment may be made in certain cases.
7.—Soldiers and seamen of United States may preserve the right of suffrage.
8.—Penalties and liabilities.

1.—Every male citizen of twenty-one years of

age and upwards, (except paupers, persons under guardianship, and those who cannot read the constitution in the English language and write their names,) who has resided within the state one year, and within the city or town in which he claims a right to vote, six months next preceding any election of city, town, county, or state officers, or of representatives to Congress, or electors of President and Vice President, and who has paid a State or county tax assessed upon him in this State within two years next preceding such election, and every citizen exempt from taxation but otherwise qualified, shall have a right to vote in all such elections.

2.—Every collector of State and county taxes is required to keep an accurate account of the names of all persons from whom he receives payment of any such tax, and of the time of such payments; and a receipt delivered by the collector to any person at his request, specifying his name and the time of payment, is to be taken as presumptive evidence thereof.

3.—By the nineteenth section of the city charter it is provided that the mayor and aldermen shall prepare, revise, correct and post up, in the manner that selectmen of towns are required to do, a list of voters in each ward of the city, and for that purpose shall have access to the assessors' books and lists, and be entitled to the assistance of the assessors and other city officers; and shall deliver the lists so prepared and corrected to the clerks of

the respective wards, to be used at elections. No person is entitled to vote whose name is not borne on such lists.

4.—The mayor and aldermen are required to be in session, at some convenient place, for a reasonable time, within forty-eight hours next preceding all meetings for the choice of national, State, county or municipal officers, for the purpose of receiving evidence of the qualification of persons claiming a right to vote, and of correcting the list of voters. Such session must be for one hour at least before the opening of the meeting on the day of election. If there are more than one thousand qualified voters in the place, a like session must be held on the day immediately preceding the meeting, and for as much longer time previous to said day as may be necessary. If the day preceding the meeting is Sunday, the session must be on the preceding Saturday. Notice of the time and place of such sessions is to be given upon the lists of voters posted up as above required.

5.—The mayor and aldermen, before entering upon the lists the name of a naturalized citizen, shall require him to produce, for their inspection, his papers of naturalization, and shall be satisfied that he has been legally naturalized; but they need not require the production of such papers after they have once examined and passed upon them.

6.—When any person shall give notice in writing to the assessors, seven days or more before any election, that he was an inhabitant of the place at

the last annual assessment of taxes, and liable to pay a poll tax, and shall furnish under oath a true list of his taxable estate, he is to be assessed in the same manner as if such list had been duly brought in; and the assessors shall, five days at least before any election, deposit with the city clerk a list of persons so assessed.

7.—Whenever any person applies to the assessors to be assessed a poll tax for the then current year, and it shall appear that he was on the first day of May, preceding, a resident of the city, and liable to pay a poll tax, and that for any portion of the two years preceding he has been in the military or naval service of the United States, then the assessors shall forthwith assess such tax, and upon payment thereof the party shall be entitled to vote to the same extent as if taxed in the ordinary manner. *The provision for payment or tender of such a tax to the treasurer without previous assessment is repealed.*

8.—Whoever gives a false name or answer to the mayor and aldermen, when in session as above, forfeits the sum of thirty dollars for each offense. If the mayor and aldermen have duly entered on the list all names returned by the collectors, they are not answerable for any further omissions. Willful neglect or refusal to perform any of the above duties, by any city officer, subjects to a penalty of not more than two hundred dollars for each offense.

ELECTIONS AND RETURNS OF VOTES.

1.—Elections not to be on days for military duty.
2.—Time of opening and closing meetings, etc.
3.—Envelopes to be provided. Penalty.
4.—Votes, how deposited and when rejected.
5.—Results of elections, how determined.
6.—City and ward officers, how chosen.
7.—When wards are newly divided, etc.
8.—Removal not to disqualify city officers.
9.—Ward officers to count and declare votes.
10.—Mayor and aldermen to examine returns from wards.
11.—Ballots, after election, to be sealed up by ward officer.
12.—Transmission to city clerk. Seal.
13.—City clerk to provide seal. To keep ballots sixty days. Correction of returns.
14.—When election is to be contested, ballots to be retained.
15.—Proceedings when vote is challenged.
16.—City and town clerks to make returns, etc.
17.—Returns by mail.
18.—Penalties for malfeasance, etc.
19.—Provisions for filling vacancies in certain cases.
20.—Same subject.
21.—Ballot not necessary in certain cases.

1.—No election of national, State or municipal officers can be held on a day on which the militia of the Commonwealth are required to do military duty.

2.—Elections of national, State, district and county officers may be opened as early as nine o'clock, A. M., but not later than two o'clock, P. M. The polls must be kept open at least two hours, and until the hour named in the warrant, but in no case after the hour of sunset. The warrant for the meeting must specify the time when the polls shall be opened and closed, and whether the vari-

ous officers are to be voted for on one or separate ballots.

3.—The secretary of the Commonwealth is to furnish any city or town clerk, on his application, with self-sealing envelopes for voters. Ward officers are to obtain the same from the city clerk, and supply them at the polls to any voter on his personal application. Any person obtaining an envelope by fraud, is liable to a fine of not less than ten nor more than fifty dollars.

4.—No vote shall be received, at any election, unless the same be presented for deposit in the ballot box by the voter in person, either in a sealed envelope, or open and unfolded. Votes for different persons, for the same office, found in one envelope, shall not be counted; if more than one vote, for the same person, for the same office, is found in one envelope, but one such vote shall be counted; and no vote shall be counted which does not clearly indicate, in writing, the office for which the person voted for is designed, except when but one officer is voted for.

5.—In all elections of civil officers, by the people, the person or persons having the highest number of votes shall be deemed and declared to be elected; but no persons receiving the same number of votes shall be deemed to be elected, if thereby a greater number would be elected than required by law.

6.—All city and ward officers who are chosen by the people, shall be chosen by ballot; the mayor,

aldermen, and clerk of the police court, by the inhabitants of the city at large, voting in their respective wards; and warrants may be issued by the mayor and aldermen for elections to fill vacancies.

7.—At the first election held after a new division of wards, the ward officers chosen under the preceding organization, shall officiate in the numerical ward for which they were chosen, and shall continue to act there until others are chosen and qualified in their stead. Officers chosen at a meeting called for the purpose, after such new division of wards, shall hold their offices until the next annual meeting and until others are elected in their stead.

8.—City officers, who were residents of the ward at the time of their elections, shall discharge the duties of their offices, notwithstanding their removal afterwards into another ward of the city.

9.—The votes in elections for national, State, county and district officers shall be received, sorted and counted by the ward officers, and public declaration made thereof in open ward meetings. The names of persons voted for, the number of votes received for each person, and the title of office for which he is proposed, shall be entered in words at length by the ward clerks in their records. The ward clerks shall, forthwith, deliver to the city clerk certified copies of such records, who shall forthwith enter the same in the city records.

10.—The mayor and aldermen and the clerk of each city shall, forthwith, after an election, examine the returns made by returning officers of each

ward in such city, and if any error appears therein they shall notify said ward officers thereof, who shall, forthwith, make a new and additional return, under oath, in conformity to truth, which additional return, whether made upon notice, or by such officers without notice, shall be received by the mayor and aldermen or city clerk, at any time before the expiration of the day preceding that on which, by law, they are required to make their returns, or to declare the result of the election in said city; and all original and additional returns, so made, shall be examined by the mayor and aldermen, and made part of their returns of the results of such election. In counting the votes of an election, no returns shall be rejected when the votes for each candidate can be ascertained.

11.—In elections in cities, for national, State, or municipal officers, the warden, or other presiding officer is to cause all the ballots given in by the qualified voters of the ward, after declaring and recording of the same, to be securely sealed up in an envelope provided for the purpose; and the warden, clerk, and a majority of the inspectors shall endorse on the envelope for what offices and in what ward the votes have been received, the date of the election, and their certificate that all the ballots given in, and no more, are contained in the envelope.

12.—The warden is to transmit the ballots, so sealed up, to the city clerk, either by a constable, or by some ward officer other than the clerk. The

ward clerk retains the custody of the seal, to be delivered, with the ward records, to his successor in office.

13.—The city clerk is to furnish a seal to the clerk of each ward, bearing within its design, the number of the ward to which it belongs. He must receive and retain the ballots returned to him, for the space of sixty days at least; and if within the time prescribed by law for forwarding returns, or declaring the results of an election, ten or more citizens, of any ward, notify him in writing that they believe the returns of the ward officers erroneous, specifying wherein the error lies, the clerk is to notify the board of aldermen, or committee, and they, within the time required by law, shall examine the ballots thrown in the ward and determine the questions raised. They shall then reseal the envelope, and endorse thereon a certificate that they have opened and resealed the same according to law; the envelope shall be returned to the city clerk, who upon certificate of the aldermen, or committee, shall amend all erroneous returns, which, being so amended, shall thereafter stand as the true return of the ward.

14.—If, within sixty days of an election, any person who receives votes thereat, shall serve upon the city clerk, by himself or his agent, a written notice claiming an election to any office, and stating his intention to contest the right of any person to the same by reason of any certificate held by him, then the city clerk shall retain the ballots,

sealed as above, subject to the order of the body to which such person claims to have been elected, or until the claim shall be finally decided.

15.—If, in any election, the right of any person offering to vote is challenged for any cause recognized by existing laws, the warden shall, at the demand of the party challenging, require the person offering to vote, to write his name and residence on the ballot offered and challenged, and the warden shall add the name of the party challenging and the cause assigned therefor, before the ballot shall be received. If the ballot is presented in an envelope, the writing may be on the outside of the same. In counting the votes, the warden, in presence of the clerk and one inspector, at least, shall mark the ballot, taken from said envelope, with the name of the person by whom it was cast, before counting it. At the close of the election, it shall be returned to its envelope. This gives no right to ward officers to receive votes required by existing laws to be refused.

16.—City and town clerks are required to seal up and transmit to the secretary of the Commonwealth, within ten days from the day of election, attested copies of the records of votes for certain officers, certified by the mayor and aldermen or selectmen; also, in like manner, a record of votes at an election of county treasurer or register of deeds shall be transmitted to the county commissioners within ten days, and a record of votes for county commissioners to the clerk of the courts

for their respective counties, within seven days after an election; and any clerk neglecting or refusing to make such returns, or perform other duties required of him by the laws relating to elections, shall forfeit for each offense a sum not less than five nor more than fifty dollars.

17.—Returns may be made by mail; and proof that such return, properly directed, was mailed within forty-eight hours after closing the polls, shall be a bar to any complaint for delinquency.

18.—Willful neglect or refusal to comply with the provisions of law as to elections, is punishable with fine or imprisonment.

19.—If, at or after the time for the mayor and aldermen of a city to enter upon the discharge of their duties, it appears that the mayor, or the full number of aldermen are not elected, such of said officers as are elected shall issue warrants for the election of a mayor or such aldermen as may be necessary. If neither of said officers is elected, the president of the common council shall issue such warrants.

20.—Whenever it appears to the mayor and aldermen, there is a vacancy either in their board, the common council, or in any city or ward office, to be filled by popular election, they shall issue their warrant for elections to fill such vacancy at such time and place as they deem advisable.

21.—If a ward officer is absent from a meeting, the office may be filled, *pro tempore*, by the voters present, by nomination and hand vote, if they so determine.

EMPLOYMENT OF CHILDREN.

1.—Children under ten not to be employed, etc.
2.—Liability of owner or agent, etc.
3.—Not to be employed more than eight hours, etc.
4.—Liability of parents.
5.—Governor may authorize constables, etc.

SECT. 1.—No child under the age of ten years shall be employed in any manufacturing establishment within this Commonwealth, and no child between the age of ten and fourteen years shall be employed unless he has attended some public or private day school under teachers approved by the school committee of the place in which such school is kept, at least six months during the year next preceding such employment; nor shall such employment continue unless such child shall attend school at least six months in each and every year.

SECT. 2.—The owner, agent or superintendent of any manufacturing establishment who knowingly employs a child in violation of the preceding section, shall forfeit a sum not exceeding fifty dollars for each offense.

SECT. 3.—No child under the age of fourteen years shall be employed in any manufacturing establishment within this Commonwealth more than eight hours in any one day.

SECT. 4.—Any parent or guardian who allows or consents to the employment of a child in violation of the first section of this act, shall forfeit a sum not exceeding fifty dollars for each offense.

SECT. 5.—The governor, with the advice and consent of the council, may, at his discretion, instruct the constable of the Commonwealth and his deputies, to enforce the provisions of chapter forty-two of the General Statutes, and all other laws regulating the employment of children in manufacturing establishments, and to prosecute all violations of the same.

FENCES AND FENCE VIEWERS.

1.—Fence viewers to be chosen by towns and cities. | 2.—General powers and duties.

1.—Towns and cities, among other officers, are empowered to choose, annually, two or more fence viewers, who shall be qualified by oath.

2.—Two or more fence viewers may, on application made to them, in general, survey neglected partition fences, and order them rebuilt; may assign to contending parties their several shares in a partition fence, which they shall respectively maintain; may determine the location and division of fences where lands are bounded by streams or bodies of water; may decide the position and division of new fences for the partition of lands before held in common, as well as the time within which the same shall be built; may, also, in the case last named, determine as to the need of a partition fence, and if the true division line is

doubtful or unknown, designate a line on which the fence shall be built, and employ a surveyor therefor; and if the line fixed by them be afterward changed by a legal decision, they may assign a time for the removal and rebuilding of the fence, giving the delinquent party notice thereof.

FIELD DRIVERS AND IMPOUNDING.

1.—Pounds to be provided and pound keeper appointed.
2.—Pound keeper to keep beasts till fees are paid.
3.—Damages may be decided by appraisers.
4.—Field drivers to be appointed. Powers of same.
5.—Impounded beasts to be fed and fees collected.
6.—Fees fixed.
7.—Rescued or escaped beasts may be retaken.

1.—The city is required to maintain one or more sufficient pounds, wherever the city council shall determine, and at its own expense. By three months' neglect to do so, a forfeit of fifty dollars is incurred. A suitable pound keeper is annually to be appointed.

2.—The pound keeper is not to deliver up any beasts, whether distrained by a field driver or any other person, until the owner pays him his fees, the sum demanded for damages by the distrainer, or the fees of the field driver, as the case may be, and all other legal costs and expenses.

3.—The owner of the beasts, or the person distraining them, may have the amount of damages

ascertained and determined by two appraisers; and if the amount is not paid forthwith, the person distraining may sell the beasts at auction, by giving twenty-four hours public notice.

4.—Cities and towns must annually appoint one or more field drivers, who are to be qualified by oath. A field driver shall take up, at any time, any swine, sheep, horses, asses, mules, goats or neat cattle going at large in the public highways or town ways, or on common and unimproved lands, and not under the care of a keeper, which shall be forthwith impounded in the city pound.

5.—The pound keeper is to furnish all impounded beasts with suitable food and water while they remain in his charge; to collect of the owner all sums demanded for damages, or for fees of the field driver, and pay over the latter when received.

6.—A field driver is entitled to fifty cents per head for horses, asses, mules and neat cattle, and ten cents per head for sheep, goats and swine, taken up by him; and the pound-keeper is entitled to four cents per head for all animals impounded. If more than ten sheep are taken up at one time, the fees for all above that number shall be only one-half the above amounts.

7.—If beasts lawfully impounded or distrained escape, or are rescued, the pound-keeper, field driver, or a person distraining, may retake them within seven days, as if no escape had taken place.

GAMES.

1.—Billiard tables and bowling alleys may be licensed.
2.—Penalty for keeping when not licensed.
3.—Penalty for admitting minors to same.
4.—Officers may enter billiard rooms, etc.
5.—Erection of bowling alleys may be restricted.
6.—Gambling booths may be suppressed.
7.—Horse racing, how regulated.

1.—The mayor and aldermen may grant a license to any person to keep a billiard table or bowling alley, for hire, gain or reward, upon such terms and conditions as they may deem proper, to be used for amusement merely, but not for the purpose of gaming for money or other property. Such license may be revoked at the pleasure of the authority granting it.

2.—Whoever without such license keeps or suffers to be kept in a house, building, yard or dependency thereof, by him actually occupied or owned, a table for the purpose of playing at billiards or a bowling alley for the purpose of playing at bowls, for hire, gain or reward, or for hire, gain or reward suffers any person to resort to the same for such purpose, shall forfeit for every such offense a sum not exceeding one hundred dollars.

3.—The keeper of a billiard room or table, or bowling alley, who admits a minor thereto, without the written consent of his parent or guardian, shall forfeit ten dollars for the first, and twenty dollars for each subsequent offense.

4.—Any marshal or his deputy, sheriff or his deputy, constable, police officer or watchman, may at any time enter into a billiard room, bowling alley, or other room connected therewith, for the purpose of enforcing any law of the State; and whoever obstructs or hinders the entrance of such officer shall be punished by a fine of not less than five nor more than twenty dollars.

5.—The provisions of chapter eighty-eight, section thirty-two, apply to the erection, occupancy, or use of buildings for bowling alleys in any city or town.

6.—The mayor and aldermen may order to be closed any booth, shed or temporary erection situated within one mile of any muster field, cattle show or other place of public gathering, on complaint made to them that the same is used for the purpose of gaming or the sale of intoxicating liquors; and if not so closed they may pull down or abate the same as a nuisance in any manner they see fit.

7.—All racing or trotting of horses for money betted or staked, is declared unlawful; and no land within the city can be laid out for a racing ground or trotting park, without the previous consent of the mayor and aldermen, who may locate such ground, and afterwards regulate and alter the terms on which it may be maintained, and discontinue it when they deem proper. Every such ground, kept in violation of these provisions, shall be abated as a common nuisance.

JURORS.

1.—Mayor and aldermen to prepare list of jurors annually.
2.—List to be posted ten days.
3.—Names to be put into a box.
.—Names of scandalous offenders to be withdrawn.
5.—All jurors to be selected by drawing names from box.
6.—Mode of drawing names.
7.—Date of draft to be endorsed on ballot.
8.—Power of common council over list.
9.—Penalty for neglect.
10.—Penalty for fraud.
11.—Jurors in highway cases.

1.—The mayor and aldermen are required, once in each year, to prepare a list of such inhabitants of the city, not absolutely exempt, as they think well qualified to serve as jurors, being persons of good moral character, of sound judgment, and free from legal exceptions; which list shall include not less than one for every one hundred inhabitants of the city and not more than one for every sixty inhabitants, computing them by the then last census.

2.—They are to post up said list, when prepared, in public places in the city ten days, at least, before it is submitted for revision and acceptance.

3.—They are afterwards to cause the names borne on the list to be written, each on a separate paper or ballot, and shall roll up or fold the ballots so as to resemble each other as much as possible, and so that the name written thereon shall not be visible on the outside; and they shall place the ballots in a box to be kept by the city clerk for that purpose.

4.—If any person, whose name is so placed in the jury box, is convicted of any scandalous crime, or is guilty of any gross immorality, his name shall be withdrawn therefrom by the mayor and aldermen, and he shall not be returned as a juror.

5.—All jurors, whether required to serve on grand or traverse jury, by force of the laws relating to highways or mills, or on any other occasion (except inquests and proceedings relating to the commitment of insane persons) shall be selected by drawing ballots from the jury box, and the persons whose name are borne on the ballots so drawn shall be returned to serve as jurors.

6.—When jurors are to be so drawn, the city clerk and mayor and aldermen are to meet at the clerk's office or other public place appointed for the purpose, and if the clerk be absent, the board may proceed without him. The ballots in the jury box shall be shaken and mixed together, and one of the aldermen, without seeing the names written thereon, shall openly draw therefrom a number of ballots equal to the number of jurors required. If a person so drawn is exempt by law, or is unable by reason of sickness or absence from home to attend as a juror, or if he has served as a juror in any court within three years then next preceding, his name shall be returned into the box and another drawn in his stead.

7.—When a person is drawn and returned to serve as a juror in any court, the mayor and aldermen shall indorse on the ballot the date of the

draft and return it into the box; and whenever there is a revision and renewal of the ballots in the box, they shall transfer to the new ballots the date of all the drafts made within three years then next preceding.

8.—The thirteenth section of the city charter provides that the list of jurors, after being prepared and posted by the mayor and aldermen, shall be submitted to the common council for concurrent revision or amendment. The provision of the General Statutes is that the common councils of cities shall have like power as towns to revise and accept the list. And the power of towns is so defined, that they may alter the list by adding the names of any persons liable to serve, or by striking any names therefrom.

9.—Every person guilty of any neglect by which the jurors to be returned from any place fail to be duly drawn and summoned, shall pay a fine not exceeding twenty dollars.

10.—If any city or town clerk, selectman, mayor or alderman is guilty of fraud, either by practicing on the jury box previously to a draft, or in drawing a juror, or in returning into the box the name of any juror which had been lawfully drawn out and substituting another in his stead, or in any other way in the drawing of jurors, he shall be punished by a fine not exceeding five hundred dollars.

11.—In case of a jury ordered for the adjustment of damages arising by laying out a highway, the officer holding the warrant therefor shall in writing require of the selectmen of the three nearest towns not interested in the question, if there be so many in the county, to return a number of jurors, not less than two nor more than six from any one town unless in case of necessity; and the jurors shall be drawn, summoned and returned, as in other cases, except that the jurors need not be summoned more than twenty-four hours before the time appointed for their attendance.

POLICE.

1.—Power of the mayor and aldermen in respect to appointments and removals.
2.—City marshal may prosecute for trespasses, etc.
3.—Cities may establish watch, etc.
4.—Duties and power of watchmen.
5.—Badges and weapons of watchmen.
6.—Mayor and aldermen may order watch, etc., where none is established. Penalty for refusing to watch, etc.
7.—Persons liable to watch, etc.

1.—By the eighth section of the city charter the mayor and aldermen have full and exclusive power to appoint a constable and assistants, or a city marshal and assistants, with the powers and duties of constables, and all other police officers, and may remove the same when in their opinion sufficient cause for removal exists.

2.—The city marshal or any other principal police officer, or the city treasurer, may prosecute for all fines and forfeitures which may inure to the city, or the poor thereof, and may also prosecute for trespasses committed on any public building or enclosure within the limits of the city.

3.—A city or town may establish and keep a watch, and determine the number and qualifications of the persons to be employed for that purpose. The mayor and aldermen or selectmen shall appoint a suitable person to be officer of the watch, and direct the manner in which watchmen shall be equipped. The expense of the watch shall be defrayed in like manner as other town charges.

4.—The watch shall see that all disturbances and disorders are prevented and suppressed. During the night they may examine all persons abroad whom they have reason to suspect of any unlawful design, demand of them their business abroad, and whither they are going; may disperse any assembly of three or more persons, and enter any building for the purpose of suppressing a riot or breach of the peace therein. Persons so suspected and not giving a satisfactory account of themselves, persons so assembled and not dispersing when ordered, and persons making, aiding or abetting in a riot or disturbance, may be arrested by the watch, and shall thereupon be safely kept, by imprisonment or otherwise, until the next morning, and then taken before a police court or some trial justice, to be examined and proceeded against.

5.—Officers and members of the watch, when on duty, may carry a club of not more than eighteen inches in length; shall wear such badge of office as the mayor or selectmen direct, and shall walk the rounds in and about the streets, lanes, wharves and principal inhabited parts of the city or town, to prevent danger by fire, and to see that good order is kept.

6.—The mayor and aldermen or selectmen of any place wherein no watch as above provided is established, may, from time to time order a suitable watch to be kept in their place, and warn all persons liable to watch and ward duty to perform the same. And persons liable to watch and ward, and without reasonable excuse refusing or neglecting to appear and do duty personally or by sufficient substitute, and constables, or officers, or members of the watch, refusing to execute and observe proper orders shall forfeit ten dollars, to be recovered by complaint to the use of the Commonwealth, or by action of tort to the use of the city or town.

7.—Every male person of the age of eighteen years and upwards (except justices of the peace, mayors, aldermen, selectmen, sheriffs, settled ministers of the gospel, or persons living more than two miles from the place where such watch and ward is kept,) being able of body, or having sufficient estate to hire a substitute, shall be liable to watch and ward in his city or town, and shall perform the duties, be subject to the liabilities, and have the powers of watchmen, as the same are above defined.

RESERVOIRS.

1.—Malicious injury to reservoirs, etc., how punished.
2.—Corruption of reservoirs or injury to aqueducts.

1.—Willful and malicious injury to any dam, reservoir, canal or trench, or willfully drawing off the water thereof without color of right, or hindering or obstructing the outflow of the water therefrom, is punishable by fine or imprisonment, or both.

2.—Whoever willfully or maliciously defiles, corrupts or makes impure any spring or other source of water, or reservoir, or destroys or injures any pipe, conductor of water, or other property pertaining to an aqueduct, or aids or abets in such trespass, shall be punished by fine not exceeding one thousand dollars, or by imprisonment in the jail not exceeding one year.

REWARDS.

1.—Mayor and aldermen may offer rewards.
2.—Contesting claims how settled.

1.—The mayor and aldermen, when in their opinion the public good requires it, may offer a suitable reward to be paid by the city, not exceeding five hundred dollars in any one case, to any

person who in consequence of such offer secures any person charged with a capital crime, or other high crime or misdemeanor, committed in such place; and such reward shall be paid by the treasurer upon the warrant of the mayor and aldermen.

2.—When more than one claimant appears and applies for the payment of the reward, the mayor and aldermen shall determine to whom the same shall be paid, and if to more than one person, what proportion to each; and their determination shall be final and conclusive.

RIOTS.

1.—Civil officers to suppress riots.
2.—Neglect or refusal to act, how punished.
3.—Two magistrates may employ armed force.
4.—If death ensues officers not guilty.
5.—City to indemnify for destruction of property.
6.—Employment of military force.

1.—It is the duty of the mayor, of each of the aldermen, of every justice of the peace living in the city, of the sheriff of the county or his deputy when any persons to the number of twelve or more, armed with clubs or dangerous weapons, or to the number of thirty or more, whether armed or not, are riotously or unlawfully assembled, to go among them, or as far as may be safe, and in the name of the Commonwealth command them immediately and peaceably to disperse. If not

immediately obeyed, it is the duty of each of the above officers to command the assistance of all persons present, in seizing, arresting and securing such persons in custody.

2.—If either of the officers, having notice of such unlawful and riotous assembly, neglects or refuses immediately to proceed thither, and exercise the authority vested in him for the above purpose, he is liable to a fine of three hundred dollars.

3.—Any two of the officers named above may require the aid of a sufficient armed force, with whom they may proceed to disperse the riotous assemblage and secure the persons composing it, in such way as their judgment may determine.

4.—If rioters refuse to disperse, and any one or more of them are killed or wounded by any armed force employed as above, the magistrates and officers and those acting under them, are fully justified and held guiltless in law.

5.—If rioters destroy or injure property to the amount of fifty dollars or more, and the owner of the same uses all reasonable diligence to prevent such damage, the city shall indemnify him to the amount of three-fourths of the value of the property destroyed. The city may then recover the sum paid of the perpetrators of the injury.

6.—The mayor may, in case of riot, issue his warrant to any military commander, directing him to appear with his command at a time and place appointed, to aid the civil authority in suppressing violence and supporting the laws. Such troops

shall appear accordingly, and obey such orders as they may then and there receive according to law.

SCHOOLS.

1.—Vacancy or defection in school committee, how remedied.
2.—Bible to be read in schools.
3.—Collection of price of school books.
4.—Pay of school committee.
5.—May appoint superintendent of schools.
6.—Forfeiture for failure in returns.
7.—Who to sign returns in certain cases.
8.—Color, etc., not to exclude from schools.
9.—Children to be sent to school.
10.—Provisions as to habitual truants.
11.—Penalties for truancy.

1.—Vacancies in the school committee are to be filled by the remainder of that board, in convention with the mayor and aldermen; the school committee first giving information of the vacancy to the other board, and the latter giving one week's public notice before proceeding to fill the vacancy. If, after the election of a school committee, the whole of its members decline service, the mayor and aldermen shall, after one week's public notice, elect a new board by ballot.

2.—The school committee shall require the daily reading of some portion of the Bible in the common English version, in the public schools.

3.—They are to furnish the assessors with the names of all scholars supplied with books at the expense of the city, with the names of the parents,

masters or guardians of the same. The assessors shall add the price of such books to the next annual tax of such parents, masters or guardians, to be levied and collected like other taxes. This is not to be done, however, where the assessors are satisfied of the inability of the parties to pay.

4.—Members of school committees are entitled in cities, to receive one dollar per day for the time actually employed in official service. The city may, however, allow additional compensation.

5.—The city council may, by ordinance, require the school committee annually to appoint a superintendent of public schools, who, under the direction and control of the committee, shall have the care and supervision of the schools, with such salary as the city government may determine. Where this is done, the committee are entitled to no compensation, unless the city specially so ordain.

6.—If the returns, required by law to be made by the school committee to the board of education, fail to reach the secretary's office before the first day of May, ten per cent. of the city's share of the income of the school fund shall be deducted and withheld; and if the returns are not received before the first day of June, the whole of said share is forfeited and to be retained. In this case the pay of the school committee may also be withheld by the city. But this does not apply where the returns are duly and seasonably mailed.

7.—When the school committee consists of thirteen or more members, the chairman and secretary only, are required to sign the annual returns.

8.—Neither race, color nor religious opinions shall exclude any person from a public school, and a scholar unlawfully excluded may sue and recover damages therefor.

9.—Every child between eight and fourteen years of age must be sent to school at least twelve weeks in the year, six of said weeks to be consecutive. By neglect or refusal so to do, the party offending forfeits twenty dollars. Poverty, sickness, mental incapacity, or education otherwise sufficiently given in the case, will, however, exempt from forfeiture.

10.—The city is required to make all needful provisions and arrangements concerning habitual truants and children wandering about in the streets and public places, having no lawful occupation, not attending school, and growing up in ignorance, between the ages of seven and sixteen years; also to make all such by-laws as shall be most conducive to the welfare of such children and the good order of the city. The mayor and aldermen shall, annually, appoint three or more persons, who alone shall be authorized to complain of violations of such by-laws and execute the judgments thereon. They are also to inquire into all cases of children not attending school, and if no good reason appears for such neglect, to report such cases to the city treasurer for prosecution.

11.—A minor convicted of habitual truancy, as above, may, at the discretion of the court, be sentenced to pay a fine not exceeding twenty dollars, or be committed to such institution or house of reformation, as may be provided, and for a time not exceeding two years. On proof that the minor is not able, by himself, or his parent or guardian, to pay the fine, the court may discharge him if deemed expedient.

STREETS.

1.—City council may lay out new streets or ways. Damages.
2.—Ways not chargeable to cities, etc., until laid out according to law.
3.—Unsafe ways to be closed, or cities liable for damages.
4.—Owners may remove trees, etc. Not removing, relinquishes right.
5.—Jury may extend time for removal.
6.—If location of way is uncertain, mayor and aldermen to ascertain, etc.
7.—Removal of snow and ice from sidewalks.
8.—By-laws to prevent pasturing cattle in highways.

1.—The fourteenth section of the city charter gives the city council exclusive authority and power to lay out any new street or town way, and to estimate the damages any individual may sustain thereby; but all question relating to the subject of laying out, accepting, altering or discontinuing any street or way, shall first be acted upon by the mayor and aldermen. Any person dissatisfied with the decision of the city council, in the

estimate of damages, may make complaint to the county commissioners of the county of Essex, at any meeting held within one year after such decision, whereupon the same proceedings shall be had as are provided by the laws of the Commonwealth in cases where persons are aggrieved by the assessment of damages by selectmen.

2.—No way opened and dedicated to the public use, which has not become a public way, shall be chargeable upon a city or town, as a highway or town way, unless the same is laid out and established by such city or town in the manner prescribed by the statutes of the Commonwealth.

3.—The mayor and aldermen shall, whenever the public safety demands it, direct and cause the entrances of such ways entering on and uniting with an existing public highway, to be closed up; or may, by other sufficient means, caution the public against entering upon such ways; and if any such way shall not be closed, or sufficient notice given that the same is dangerous, the city shall be liable for damages arising from defects therein, in the same manner as if it had been duly laid out and established.

4.—When a town or private way is laid out or altered by the selectmen or commissioners, they shall, in their report or return thereof, specify the manner in which way, location or alteration shall be completed, and transmit to the clerk a description of the location and bounds thereof, which shall, within ten days, be recorded by him in the

books of record kept for that purpose; and they shall allow the owner of the land through which the way may pass, a reasonable time to take off his trees, fences, and other property, which may obstruct the building of such way. If he neglects to remove the same within the time allowed, he shall be deemed to have relinquished his right thereto for the benefit of the town, if the way be a town way; and if it be a private way, for the benefit of such person as the selectmen or commissioners shall determine.

5.—If a jury is ordered to assess the damages done by the location or altering of such way, they may extend the time for the owner of the land to remove his trees, fences, and other property, and if he neglects to remove the same within such extended time, he shall be deemed to have relinquished his claim thereto.

6.—When ten or more freeholders represent to the mayor and aldermen that the exact location of a street, road or way, over which they have jurisdiction, cannot readily be ascertained, they shall make investigation thereof, and if it appears that the representation is correct, shall after giving the notice required in laying out a similar road or way, proceed to ascertain the correct location, erect the necessary bounds, and file a certificate thereof, for record, with the city clerk.

7.—City councils may by ordinance provide for the removal of snow and ice from sidewalks in such portions of their cities as they may deem ex-

pedient, which ordinance shall determine the time and manner of removal, and shall affix penalties, not exceeding fifty dollars, to any violation of its provisions by any owner or tenant of the estate abutting upon the sidewalk from which the snow and ice are required to be removed.

8.—A city or town may make suitable by-laws and regulations to prevent the pasturing of cattle and other animals, either with or without a keeper, upon any or all of the streets or ways in such city or town, and may annex penalties, not exceeding twenty dollars, for each violation thereof. But no such by-law or regulation shall affect the right of a person to the use of land within the limits of such way adjoining his own premises.

Concerning Fires.

STATUTES.

1.—Firewards shall attend at fires.
2.—Who may order buildings demolished.
3.—Compensation for demolished buildings.
4.—Authority of firewards over bystanders.
5.—Poll tax of enginemen may be refunded.
6.—Engineers to have power of firewards.
7.—Penalty for injuring fire-engine.
8.—Fire clubs may be prohibited.

1.—When fire breaks out in any place the firewards shall immediately repair thereto, carrying a suitable staff or badge of their office.

2.—The firewards, or any three of them, present at a place in immediate danger from a fire, and where no firewards are appointed, the selectmen, or mayor and aldermen present, or in their absence, two or more of the civil officers present, or, in their absence, two or more of the chief military officers of the place present, may direct any house or building to be pulled down or demolished when they judge the same to be necessary in order to prevent the spreading of the fire.

3.—If such demolition is the means of stopping the fire, or if the fire stops before reaching the same, the owner shall have reasonable compensation from the city or town; but when such building is that in which the fire begun, the owner shall have no compensation.

4.—Firewards may, during any fire, require assistance for extinguishing the same, or for removing furniture or goods, and may appoint guards to secure the same. They may require assistance for demolishing buildings when necessary, and may suppress all tumults and disorders at such fire.

5.—A sum equal to the poll tax for State, county and town taxes, (exclusive of highway taxes,) shall be refunded annually to any

engineman who has done duty as such for one year preceding the first day of May; but this only applies to places which have adopted sections eighteen, nineteen and twenty of chapter twenty-four of the General Statutes.

6.—Engineers of the fire departments shall have and exercise the powers by law vested in firewards in relation to the extinguishment of fires.

7.—Wanton and malicious injury to a fire engine is punishable by fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, and the perpetrator shall also recognize with sureties for future good behavior.

8.—Towns and cities that have adopted the forty-ninth and fiftieth sections of chapter twenty-four of the General Statutes, may prohibit the formation of fire clubs except under written authority.

PREVENTION OF FIRES.

STATUTES.

1.—Making bonfires forbidden.
2.—Fireworks not to be sold, etc.
3.—Nor to be kept nor fired.
4.—City council may regulate sale of gunpowder.
5.—Also gun cotton and like substances.
6.—Suspected premises may be searched.
7.—Limitation of these powers.
8.—Storage of camphene, etc., may be regulated.
9.—Storage of kerosene, etc.
10.—Furnaces, etc., to be licensed.
11.—Hearing on application for license.
12.—Regulation of furnaces, etc.
13.—When the same are to be held common nuisances.
14.—Water for fires may be drawn from aqueducts.
15.—Preventing alarm of fire, how punished.
16.—If during the fire, how punished.

1.—Whoever is concerned in causing or making a bonfire within ten rods of any house or building, shall be punished by fine not exceeding twenty dollars, or imprisonment not exceeding one month.

2.—Whoever sells, gives away or offers for sale, or has in his possession with intent to sell, any of the fireworks called rockets, crackers, squibs or serpents, without license from the mayor and aldermen, shall for every such offense forfeit a sum not exceeding ten dollars.

3.—Whoever sets fire to, or has in his possession with intent to set fire to, any rocket, cracker, squib or serpent, or throws any lighted

rocket, cracker, squib or serpent, within the city, without the license of the mayor and aldermen, shall for every offense forfeit a sum not exceeding ten dollars.

4.—The city council may order that no gunpowder shall be kept within the city, except in tight casks or canisters; that not more than fifty pounds thereof shall be kept in any building within twenty-five rods of any other building, or if within ten rods, then not more than twenty-five pounds; nor more than one pound in any place, unless in copper, tin or brass canisters holding not more than five pounds each, and closely covered.

5.—They may make a like order in regard to gun-cotton or other substances prepared like it for explosion; and if considered necessary for public safety, may restrict the quantity to be so kept to one-fifth the weight of gunpowder allowed as above.

6.—Search warrants may issue on complaint of the mayor and aldermen or engineer of the fire department, ordering any constable to enter any building, and search for any such explosive substance there known or suspected to be.

7.—These provisions do not extend to any manufactory of gunpowder, gun-cotton, fireworks or other substance, nor do they prevent the transportation thereof from place to place.

8.—The city council may adopt such rules and regulations as they deem reasonable in relation to the storage and sale of camphene or any similar explosive or inflammable fluid, and may affix penalties for breaches thereof not exceeding twenty dollars for any one offense.

9.—Whoever keeps petroleum, kerosene, naptha or benzine, separately or together, in quantity more than five hundred gallons in one place in the city, without license from the mayor and aldermen, forfeits one thousand dollars. The city council may make such regulations in this behalf as they deem reasonable, affixing suitable penalties thereto.

10.—No furnaces for melting iron or making glass, and no stationary steam engine designed for use in any mill for planing or sawing boards, or turning wood, or in which any other fuel than coal is used to create steam, shall be erected or put up to be used in the city, unless the mayor and aldermen have granted a license therefor, prescribing the place of the building to contain such steam engine or furnace, the materials and construction thereof, with such regulations as to the height of flues and protection against fire as they deem necessary. Such license may be granted on written application, and shall be recorded in the records of the city.

11.—Upon application for such license the mayor and aldermen

are to assign a time and place for continuing the same, and give not less than fourteen days' public notice thereof, at the expense of the applicant.

12.—The mayor and aldermen may, after due notice to the owner of any such steam engine or furnace, except for making glass, and after a hearing of the matter, adjudge the same to be dangerous or a nuisance, and may record an order prescribing such rules, restrictions and alterations, as to the building in which the same is used, the construction and height of its smoke flues, and such other regulations as they deem necessary for the safety of the neighborhood. Said order shall be served on the owner by a constable, and returned within three days from delivery.

13.—Any steam engine or furnace erected or used contrary to the foregoing provisions shall be deemed a common nuisance; and the mayor and aldermen have the same power to remove it as is given to boards of health in like cases.

14.—A city or town may put conductors into the pipes of any aqueduct corporation for the purpose of drawing therefrom, free of charge, as much water as is necessary, when a building is on fire therein: *Provided*, that the conductors are so secured that water shall not be drawn therefrom unless for the purpose of extinguishing fires.

15.—Whoever, within twenty-four hours prior to the burning of a building or other property, willfully and maliciously cuts or removes any bell-rope in the vicinity of such building or property, or cuts, injures or destroys any engine or hose, or other apparatus belonging to an engine in said vicinity, shall be deemed guilty of the burning as accessory before the fact, and be punished accordingly.

16.—Whoever, during the burning of a building or other property, willfully and maliciously cuts or removes any bell-rope in the vicinity of such building or property, or otherwise prevents an alarm being given, or cuts, injures or destroys an engine or hose, or other apparatus belonging to any engine, in said vicinity, or otherwise willfully and maliciously prevents or obstructs the extinguishing of any fire, shall be deemed guilty of the burning as accessory after the fact, and punished by fine or imprisonment.

RULES OF FIRE DEPARTMENT.

SECTION I.

ARTICLE 1.—The engineers, as soon as practicable after their appointment, shall meet and organize themselves into a board of engineers, by the choice of a chief engineer, a first and second assistant, and a clerk, who shall hold their respective offices for the year ensuing, and until others are elected in their stead.

ART. 2.—The chief engineer may call meetings of the board whenever he may deem it expedient.

ART. 3.—A majority of the board shall be present at any of the meetings, in order to constitute a quorum. The chief shall preside at all meetings of the board when he shall be present, also give the casting vote in case of a tie, and in his absence the senior engineer present shall be the presiding officer.

ART. 4.—The engineers shall have general superintendence and control of all the engine and other houses used for the purposes of the fire department, and of all the furniture and apparatus thereunto belonging; and of the engines, and all other apparatus belonging to the city.

ART. 5.—It shall be the duty of the chief engineer to visit or cause to be visited by one of his assistants, all the companies belonging to the fire department, at their regular monthly meetings for

the purpose of ascertaining the condition of the apparatus, and for furnishing all necessary supplies; also, to ascertain the number and standing of its members.

ART. 6.—It shall be the duty of said engineers, whenever a fire shall break out in the city, to repair forthwith to, or near the place where the fire may be, to take proper measures that the several engines, and other apparatus, be arranged in the most advantageous situations, and duly worked for the extinguishment of the fire; and to require and compel assistance from all other persons, as well as members of the fire department, in extinguishing the fire, or moving furniture, goods and other merchandise, from buildings on fire, or in danger thereof; and to appoint guards for the security of the same; also to require and compel assistance in pulling down and demolishing buildings, if necessary, and in suppressing all tumults and disorders, that may occur at a fire.

ART. 7.—The chief engineer shall have the sole command at fires, over all other engineers, all members of the fire department, and all other persons who may be present at fires, provided, however, that no building shall be pulled down or demolished without the concurrence of at least three engineers.

ART. 8.—In the absence of the chief engineer, the first assistant, and in his absence the second assistant, shall execute the duties of his office, with full powers.

ART. 9.—It shall be the duty of the chief engineer to keep or cause to be kept, a record of all fires which may happen in the city during the year, with the probable causes of the same, and a description of the buildings and property destroyed and injured, together with the names of the owners and occupants of such buildings; also, make an annual report of the same, together with the condition of the fire apparatus, once a year, to the city government.

ART. 10.—If any engine or fire apparatus be so damaged that immediate repairs are necessary, it may be taken forthwith to a suitable person to be repaired; but no repairs shall be made until information of such damage is given to the chief engineer, that he may order or superintend such repairs. Provided, that, in case such information cannot readily be given to the chief engineer, it may be given to any other engineer. All bills of any kind, are to be presented to the chief engineer immediately after the work is delivered.

ART. 11.—It shall be the duty of the clerk to give notice of all meetings to each of the members, and to keep a true record of all business transacted at the meetings of the board of engineers; to notify persons of their appointment as members of the several companies; also, to send them a certificate of membership, signed by the chief and clerk of board of engineers.

ART. 12.—The members of the several fire companies are strictly forbidden to assemble at any of

the engine houses on Sunday, except in case of fire, or without the permission of an engineer, and no repairs or work of any kind will be allowed on that day, without the consent of the chief engineer.

ART. 13.—It shall be the duty of the foremen of the several companies, to demand the discharge of any members who may be guilty of any disorderly or improper conduct, or use any disrespectful language to the board of engineers, or officers of the company, and in case they refuse to discharge such member, the foremen shall at once report the same to the board.

ART. 14.—Any member who shall be absent from three consecutive fires, unless detained by sickness of himself or family, shall be liable to be discharged from the department.

SECTION II.

ART. 1.—Each of the steam fire engine companies formed, and appointed by the board of engineers, shall have a foreman, assistant foreman, and clerk, who shall constitute the officers of said companies; there shall also be an engineman, assistant engineman, fireman, and steward, all of whom shall be chosen annually, and in the month of May, by written votes of their respective companies, at a special meeting held for that purpose; also, at such times as vacancies may occur, and report the same to the board of engineers.

ART. 2.—Each of the hose and hook and ladder

companies, formed and appointed by the board of engineers, shall have a foreman, assistant foreman, clerk, and steward, all of whom shall be chosen annually, and in the month of May, by the written votes of their respective companies at a special meeting held for that purpose; also, at such times as vacancies may occur, and report the same to the board of engineers.

ART. 3.—It shall be the duty of the foreman of each of the companies of the fire department respectively, to see that the engines and other apparatus, together with the buildings entrusted to his care, are kept clean and in order for immediate use; to preserve order and discipline at all times, and to require and enforce a strict compliance with the rules, regulations and orders of the board of engineers.

ART. 4.—It shall be the duty of the clerks of the respective companies, to notify members of all meetings; to keep an exact roll, specifying the time of admission and discharge of each member of their respective companies, and report the same within five days from the performance of said duty, to the chief engineer.

ART. 5.—The enginemen of the steamers shall have sole care of their respective engines, under the direction of the board of engineers. They shall be held responsible for the care and good order of the same, and see that they are at all times in condition for immediate use. The enginemen shall run the engines at fires or at other times

when required; in their absence the assistant enginemen shall perform said duty. The enginemen may have the privilege of recommending their assistants.

ART. 6.—The firemen shall be under the direction of the enginemen while on duty. They shall prepare the fuel for the engines, and have it at all times ready for use. In the absence of the fireman the foreman shall appoint a suitable person.

ART. 7.—In the absence of the enginemen or firemen, they shall pay their assistants twenty-five cents per hour for performing their duties, excepting the firemen of Atlantic, No. 2.

ART. 8.—It shall be the duty of the steward to keep clean the house, hose, or other apparatus which may belong to the company; to clean the snow from the sidewalks connected with the house in winter, and perform such other duties as are incumbent upon him.

ART. 9.—On the return of the engines and other apparatus, either from fires or drill, they shall by their enginemen and stewards, respectively, be well washed, cleaned, oiled, and securely housed; and once in every month, said companies shall meet for the purpose of examining the state of their respective engines and other apparatus, and see that the same is in good order and fit for use, and to transact any business that may come before them.

ART. 10.—No company will be permitted to take their engine or other apparatus out of the city,

without the permission of the chief engineer, or in his absence, the next in command.

ART. 11.—The members of each company are to have control of the engine and other apparatus committed to their care, which are not to be handled, used, or in any way meddled with, by the members of other companies, unless by the permission of the officers having the same in charge, or by special order of one of the board of engineers.

ART. 12.—If any member of either of the several companies shall willfully neglect or refuse to discharge his duty, or shall be guilty of disorderly conduct, or disobedience to any officer, or to any engineer, he shall, for such offense, be dismissed from the fire department.

ART. 13.—No person shall be permitted to engage to serve in the fire department for a shorter period than three months, and if he shall be dismissed from his company before the expiration of the same, except it be on account of sickness or some other circumstance beyond his control, he shall forfeit all compensation which may have become due to him.

ART. 14.—The members of the several companies shall be furnished with a copy of the rules and regulations of the fire department. There shall also be a copy framed, and placed in the halls of the respective engine houses.

SECTION III.

ART. 1.—It shall be the duty of the officers and members of the fire department, whenever a fire shall break out in the city, to repair forthwith to the building in which are deposited their engines and other apparatus, and to convey the same in as orderly a manner as may be, to or near the place where the fire is, and in conformity with the direction of the chief or other engineers, to exert themselves in the most orderly manner possible in running and managing the engines, hooks and ladders, and other apparatus, and in performing any other duty they may be called upon to do by an engineer; and upon permission of the chief or other engineer, they shall, in an orderly and quiet manner, return said engine and other apparatus to their respective houses, provided, that, in the absence of all the engineers, such direction and permission shall be given by the foremen of the respective companies.

ART. 2.—As a general rule, it is recommended not to open the windows or doors of a building in which a fire may be, until a supply of water is obtained, and then carefully to abstain from injuring goods or furniture by its injudicious application.

ART. 3.—The first engines, on arriving at a fire, are to be drawn to the nearest supply of water, and there set in such a manner as will be satisfactory to the chief or one of the assistant engineers, their suction hose lowered and their leading hose extended, and to play direct on the fire, unless

otherwise ordered; the other engines, on arriving, to be placed in the same manner.

ART. 4.—Each engine company is to carry not less than four hundred feet of leading hose, the hose companies not less than six hundred feet.

ART. 5.—The drivers of the steam fire engines, those who are permanently employed in the fire department, shall have sole care of the horses, under the direction of the chief engineer; they shall also act as stewards, and perform such other duties as are required of them by the board of engineers.

Concerning Burials.

STATUTES.

1.—Burial grounds to be provided by cities and towns.
2.—Restrictions as to use of land for burials.
3.—Penalty for injury to monuments, etc.
4.—Undertakers, etc., to notify City Clerk of burials.
5.—Keepers of poor houses, etc., to notify Mayor and Aldermen, in case of death of pauper.
6.—Surrender of body for dissection forbidden in certain cases.
7.—Paupers and strangers to be buried by public authority.

1.—Every city or town shall provide one or more suitable places for the interment of persons dying within its limits.

2.—Except in the case of the erection or use of a tomb on private land for the exclusive use of the family of the owner, no land shall be used for burials, other than that already so used or appropriated, unless by permission of the mayor and aldermen.

3.—For the willful destruction or injury of any monumental structure or memorial of the dead, or any fence or other protection for such memorial, or for the willful injury of any tree, shrub or plant, in any burial-ground, or for the wanton and malicious disturbance of the contents of any tomb or grave, the perpetrator shall be punished by fine of not less than ten, nor more than five hundred dollars, or by imprisonment in jail not more than one year.

4.—Every undertaker, superintendent of burials, or other person, having charge of a burial ground or of the interment of a human body, is required forthwith to return, to the city clerk, the facts necessary to be recorded concerning the deceased. He is to receive from the clerk a certificate of his having so done, and is to deliver this certificate to the person having charge of the interment, (if other than himself,) before the burial, when practicable, otherwise within

seven days thereafter. When a burial is made and no certificate so delivered, the person in charge must give notice to the city clerk forthwith, under penalty of twenty dollars.

5.—Every keeper of a workhouse, poorhouse or house of industry, in which any person dies, and needs to be buried at the public expense, must notify the mayor and aldermen forthwith. Unless in case of necessity, the body is not to be buried before such notice and permission is obtained, nor is the body to be surrendered for dissection in any case without such permission from the mayor and aldermen.

6.—If the deceased person, of his own accord, and during his last sickness, requests to be buried, or if any friend or relation of the deceased, within twenty-four hours after the death, requests that the person may be buried, or if the deceased was a stranger or traveler who suddenly died,—the body shall not be surrendered, but shall be buried.

7.—Overseers of the poor are bound to decently bury all poor persons belonging to their jurisdiction and dying while supported at the public charge; and any coroner, on view of the dead body of a stranger, whether an inquest be taken or not, shall cause the same to be decently buried, unless its dissection has been allowed by lawful authority.

REGULATIONS OF BOARD OF HEALTH.

CONCERNING BELLEVUE CEMETERY AND THE INTERMENT OF THE DEAD.

ART. 1.—The mayor shall hereafter, annually, in the month of January, appoint from the board of health, three persons who shall constitute the committee on the cemetery.

ART. 2.—There shall forthwith and hereafter, annually in the month of January, be elected by written ballot by the board of health, and subject

to removal by the same, a suitable person to be styled "The Superintendent of the Cemetery," whose duty it shall be by himself, or by undertakers, duly licensed and appointed to attend, manage and conduct in a proper manner, all the funerals which shall take place in the city. Such superintendent, in all cases, to assume and have the sole charge and direction of all interments, funeral processions and all other matters appertaining thereto within the limits of the said cemetery, from the time of the entry of the hearse and procession within the cemetery gates, and until their departure therefrom. It shall also be his duty to keep the walls, fences and gates, of said cemetery, in good and proper repair, to establish the depth and width of every grave to be dug therein, and also to record in a book to be kept for that purpose, the name and age of each person buried therein, the place of residence to which the deceased belonged, the day of death and time of burial, the number and position of the grave, and of the range or tomb where buried or deposited.

ART. 3.—At such times of the year as labor can be performed in the said cemetery, the superintendent, when not attending funerals and burying the dead, shall, under the direction and supervision of the committee on the cemetery, be employed in making and repairing walks, avenues, and in such other similar labor as may be required by said committee, for the improvement of the grounds. He shall receive such compensation for his services as the board of health may determine.

ART. 4.—The fees for the services of the superintendent shall be: for digging and closing the grave of any person whose age exceeds ten years, one dollar and fifty cents; under ten years, one dollar: and for opening and closing a tomb, one dollar: and for attendance with the hearse, two dollars for persons whose age exceeds ten years; under ten years, one dollar and fifty cents, in addition to the above charges.

This article shall apply only to funerals within the city, and all fees and moneys received by the superintendent for services rendered, or for wood, timber, or anything sold from out of the said cemetery, shall be paid into the city treasury, monthly.

ART. 5.—The proprietors of any lot in the said cemetery shall have the right to use the same as a place for the burial of the dead; for the erection of suitable stones, monument, or sepulchral structures; for the cultivation of trees, shrubs, plants and flowers, and for no other purpose.

ART. 6.—If any lot, avenue or path in said cemtery shall be injured or incommoded by means of any shrubbery or other object in or upon an adjacent lot, the owner thereof shall be required to remove such obstruction; and in case of failure seasonably so to do, it shall then be the duty of the committee on the cemetery to cause it to be removed at the owner's expense.

ART. 7.—If any stone, monument, effigy or structure of any kind (or the device or the inscription thereon) which may be placed on any

lot, shall be decided by the committee on the cemetery to be improper or offensive, it shall be the right and duty of the said committee to cause such improper or offensive object or structure to be removed forthwith.

ART. 8.—All persons who may be found noisy or disorderly, or otherwise misbehaving themselves within the limits of the cemetery, or so conducting as to desecrate the place, shall be deemed offenders against these regulations, and shall be prosecuted accordingly.

ART. 9.—No person shall gather any flowers, or break, cut or injure any tree, shrub, bush or plant within the limits of the said cemetery, excepting such as are growing or standing on the lot or lots owned by him. Nor shall any person discharge firearms of any kind within the bounds of the said cemetery, except at the burial of persons with military honors.

ART. 10.—It shall be the duty of the superintendent forthwith to report the name of any and every person known to have violated any of the above regulations, to the committee on the cemetery, who shall prosecute all such as have wantonly or maliciously offended.

ART. 11.—Whenever any person shall decease within the limits of the city, it shall be the duty of the nearest relative, or the housekeeper in whose family or house the person died, to cause the same to be made known to the superintendent or any

one of the funeral undertakers duly licensed and appointed, as soon as practicable.

ART. 12.—No person, except the superintendent of cemetery or those employed by him, subject to the approval of the committee on the cemetery, shall be allowed to dig any grave, bury any dead body, or open any tomb at the said cemetery; and no other person, unless appointed an undertaker or otherwise specially authorized by the board of health, shall dig any grave, bury any dead body, or open any tomb in any cemetery, grave-yard, or other place in the city other than the cemetery, or move from any house or place within the city to any place of burial whatsoever, the body of any deceased person. And no person shall remove the body of any deceased person or the remains thereof from the city or from any one grave or tomb to another within the city, without first obtaining license so to do from the chairman of the board of health.

ART. 13.—All funerals shall take place between sunrise and sunset, unless otherwise permitted by the board of health.

ART. 14.—It shall be the duty of each undertaker, duly licensed and appointed, to attend and manage funerals when so required, subject, however, to the supervision and direction of the said superintendent, after arriving within the limits of the cemetery, as set forth in article two. It shall also be the duty of each undertaker to collect the fees for the said superintendent, as enumerated in

article four, in every case where such undertaker may attend and manage a funeral, and to pay over such fees to said superintendent on or before the first Monday of each month.

ART. 15.—The said superintendent shall give bonds in the sum of five hundred dollars, with sufficient sureties to the satisfaction of the board of health, for the faithful performance of the duties of said office of superintendent, and that he will justly and truly pay into the city treasury and account for all moneys that may come into his hands, and will deliver to his successor all books, papers and property in his hands belonging to the city; and each undertaker, licensed and appointed, shall give bonds, with sufficient sureties, to the city of Lawrence, in the sum of two hundred dollars, to the satisfaction of the board of health, for the faithful performance of his duties, and that he will truly pay over to the said superintendent all moneys of the city that may come into his hands.

ART. 16.—The superintendent shall notify all persons having remains of friends deposited in the city tomb to have them removed for interment as early as practicable, and in no case shall a body remain in the tomb more than twenty-four hours, from the first of June to the last day of September, inclusive, without the consent of said superintendent or chairman of the board of health.

ART. 17.—No person or persons shall take possession of or use any lot or lots in said cemetery until the same is paid for.

ART. 18.—The superintendent of the cemetery shall keep a record of all lots sold during the year, and make an annual report of the same to the committee on cemetery.

ART. 19.—Any person who shall be guilty of a violation of the foregoing regulations, shall for such a breach of these regulations forfeit and pay a sum of not less than two nor more than twenty dollars, to be recovered for the use of the city, by a complaint of the city marshal or his deputy, before the justice of the police court within and for the district of Lawrence.

ART. 20.—All regulations heretofore established by the board of health are hereby repealed and annulled.

Merrimack Valley Horse Railroad.

CONDITIONS BY WHICH THE MERRIMACK VALLEY HORSE RAILROAD COMPANY WERE ALLOWED TO LAY DOWN THEIR TRACK.

IN BOARD OF ALDERMEN,
Lawrence, Sept. 9, 1867.

Ordered, That the track of the Merrimack Valley Horse Railroad shall be located as follows:—Commencing on Sutton street, so called, at the dividing line between the town of North Andover and the city of Lawrence, and running a single track through said Sutton street to Union street, thence through Union street to Essex street, thence through Essex street to the railroad depot; also, over Common street from said depot to Turnpike street, and over Turnpike street from Essex street to the dividing line between the city of Lawrence and the town of Methuen.

Said single track to be laid down in the centre of the roadway of said Essex, Common and Turnpike streets; the manner of laying said track upon Sutton and Union streets, to be hereafter determined.

The right to lay down these tracks is granted under the express condition, that said railroad company shall at all times, after the rails are laid down, keep in good order and complete repair, at their own expense, that portion of all the streets through which said rails are to be laid; as provided by the statutes of the Commonwealth, and also the laying down of said track and the repairs upon the above described streets to be done under the direction of the superintendent of streets, and to the satisfaction of the board of aldermen; and said railroad company to be governed by such regulations as the mayor and aldermen may hereafter determine.

CITY OF LAWRENCE, }
In Board of Aldermen, Dec. 20, 1867. }

Ordered, That leave be granted to the Merrimack Valley Horse Railroad Company to lay a track, for the use of said road, through Union street from Essex to Canal street, also through Canal street from said Union street to the bridge across Spicket river; said track to be laid in the centre of said Union and Canal streets, and under the proviso and conditions specified in the order granting said company the right to lay a track through Essex and Turnpike streets.

CITY OF LAWRENCE, }
In Board of Aldermen, May 15, 1868. }

Ordered, By the board of aldermen of the city of Lawrence, that the track of said railroad company be laid down upon the easterly side of said Union street, and upon the northerly line of said Sutton street; the centre of said track to be not more than fifteen feet from the easterly line of said Union street and the northerly line of said Sutton street.

The right to lay down these additional tracks is under the express proviso and condition, that the said Merrimack Valley Horse Railroad Company shall keep in good order and complete repair, at their own expense, that portion of said Union and Sutton streets through which said rails may be laid, and also that part of said streets lying outside of the rails adjacent thereto, extending two feet from the outside of each rail.

Also, under the further express proviso and condition, that the assent and such additional conditions as the Essex Company, and proprietors of the Lawrence Bridge, may require for the privilege of crossing the canal bridge on Union street, and the Lawrence bridge across the Merrimack river.

CITY OF LAWRENCE, }
In Board of Aldermen, July 24, 1868. }

Ordered, that leave be granted the Merrimack Valley Horse Railroad Company to construct and maintain a turnout on Essex street, in the vicinity of Jackson and Newbury streets, under the express proviso and condition, that said Merrimack Valley Horse Railroad Company shall keep in good and complete repair, at their own expense, and to the satisfaction of the superintendent of streets, that portion of the street used for said turnout extending two feet from the outside of the outer rail. Also if directed by the committee on streets, said Merrimack Valley Horse Railroad Company shall lay down at their own expense, outside and inside of each rail, granite blocks of such dimensions as the superintendent of streets shall determine.

Also, the right to construct and maintain this turnout, is under the further express proviso and condition, that whenever the city council shall order or authorize any portion of a street through and in which the tracks of Merrimack Valley Horse Railroad are located, by the terms of this, or any previous order, to be paved with what they shall deem to be the best of stone material, the expense of paving that portion of the street lying between the rails and that portion of the street lying outside of the rails adjacent thereto extending one foot, shall be paid by said Merrimack Valley Horse Railroad Company.

Also under the further express proviso and condition to the right granted under the authority of this order, said Merrimack Valley Horse Railroad Company shall accept and agree to comply with its provisions and conditions in writing within twenty days from the date of its passage and to file said acceptance and agreement with the city clerk, otherwise it shall be null and void.

IN BOARD OF ALDERMEN,
Lawrence, Feb. 9, 1870.

Ordered, That the following rules and regulations be and hereby are adopted for the management of the track and rails of the Merrimack Valley Horse Railroad corporation, in accordance with the power reserved by the mayor and aldermen in the location of said track through the streets of Lawrence.

SECT. 1.—Whenever there shall occur a fall of snow of sufficient depth to allow vehicles to pass over the track of the Merrimack Valley Horse Railroad corporation on runners, no snow plough shall be allowed to pass over said track within the city of Lawrence; nor shall said corporation cause or allow snow to be removed from their track without the consent of the superintendent of streets, with the approbation of the mayor.

SECT. 2.—The corporation shall not salt or use any article of decomposing nature on the track or rails, or cause or allow the same to be done by any

of their agents, for the purpose of melting the snow, unless permit is granted by the superintendent of streets, allowing the same to be done, and said permit shall only be granted when the use of said article will not be detrimental to vehicles on runners crossing the track and rails.

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MEMBERS OF CITY GOVERNMENTS.

Members of City Governments

SINCE ADOPTION OF CITY CHARTER.

1853.

MAYOR.

CHAS. S. STORROW.

ALDERMEN.

Ward 1—Geo. D. Cabot.
Ward 2—E. B. Herrick.
Ward 3—Alvah Bennett.
Ward 4—Albert Warren.
Ward 5—Walker Flanders.
Ward 6—S. S. Valpey.

COMMON COUNCIL.

JOSIAH OSGOOD, PRESIDENT.

Ward One.

John T. Loring.
Wm. B. Gallison.
James H. Harding.

Ward Two.

Jackson Gordon.
Wm. R. Spalding.
A. N. Whittaker.

Ward Three.

Josiah Osgood.
Nath'l G. White.
Elisha Winch.

Ward Four.

Dana Sargent.
E. L. Gowen.
I. K. Gage.

Ward Five.

E. F. Bean.
E. Weston.
Daniel Hardy.

Ward Six.

William Tyler.
James Stevens.
John Lear.

1854.

MAYOR.

ENOCH BARTLETT.

ALDERMEN.

Ward 1—Albert Blood.
Ward 2—Samuel Gould.
Ward 3—M. Cram.
Ward 4—David Wentworth.
Ward 5—E. F. Bean.
Ward 6—Chas. F. Abbott.

COMMON COUNCIL.

*I. K. GAGE, †L. HOYT, PRESIDENTS.

Ward One.
E. C. Hopkins.
C. S. Newell.
Enoch Hewins.

Ward Two.
Thos. A. Parsons.
A. D. Blanchard.
B. McIntire.

Ward Three.
John Beetle.
Thomas W. Floyd.
Oliver Pearl.

Ward Four.
William Clark.
H. Withington.
Leonard Hoyt.

Ward Five.
I. K. Gage.
A. M. Bodwell.
E. B. Dolloff.

Ward Six.
*George H. Parker.
†G. Richardson.
Gorham P. Higgins.
*John Caldwell.
†J. Q. A. Buridge.

1855.

MAYOR.

ALBERT WARREN.

ALDERMEN.

Ward 1—John B. Atkinson.
Ward 2—W. Goodhue.
Ward 3—J. W. Kimball.
Ward 4—Elbridge Joslyn.
Ward 5—Ben Osgood.
Ward 6—G. P. Higgins.

COMMON COUNCIL.

J. C. WADLEIGH, PRESIDENT.

Ward One.
*David P. Noster.
Rufus Reed.
Sylvester A. Furbush.

Ward Two.
Reuben W. French.
*W. A. Carleton.
†W. H. Fernald.
Adolphus Durant.

Ward Three.
Thomas W. Floyd.
T. S. Stratton.
Amos Carter.

Ward Four.
*Sullivan Simonds.
J. C. Wadleigh.
*Geo. Littlefield.
†J. M. Decker.

Ward Five.
Charles Hutchinson.
Harvey White.
William Hardy.

Ward Six.
Hezekiah Plummer.
Samuel M. Davis.
Edwin Ayer.

*Resigned. †To fill vacancies.

1856.

MAYOR.

ALBERT WARREN.

ALDERMEN.

Ward 1—Wyllis G. Eaton.
Ward 2—Wm. H. Fernald.
Ward 3—A. Parker, Jr.
Ward 4—Elbridge Joslyn.
Ward 5—*C. Hutchinson.
†E. F. Bean.
Ward 6—G. P. Higgins.

COMMON COUNCIL.

WM. HARDY, PRESIDENT.

Ward One.
E. M. Moers.
T. G. Peckham.
Wm. J. Merrill.

Ward Two.
J. H. Morse.
J. Q. A. Batchelder.
*S. Towne.

Ward Three.
Sewell Sylvester.
P. M. Gage.
Lyman Daniels.

Ward Four.
J. M. Decker.
David Wentworth.
W. H. Cook.

Ward Five.
Wm. Hardy.
Cyrus Williams.
John P. Gale.

Ward Six.
Hezekiah Plummer.
*Geo. A. Fuller.
Henry F. Pasho, Jr.

1857.

MAYOR.

JOHN R. ROLLINS

ALDERMEN.

Ward 1—Wyllis G. Eaton.
Ward 2—Aaron Ordway.
Ward 3—W. H. Boardman.
Ward 4—Amasa Bryant.
Ward 5—Cyrus Williams.
Ward 6—N. G. Paul.

COMMON COUNCIL.

T. G. PECKHAM, PRESIDENT.

Ward One.
Abel Webster.
T. G. Peckham.
Thatcher Merriam.

Ward Two.
J. S. Stafford.
Geo. W. Sargent.
J. Q. A. Batchelder.

Ward Three.
Sewell Sylvester.
*W. H. Whitmarsh.
†W. Murray.
E. W. Colcord.

Ward Four.
Joseph Norris.
Heaton Bailey.
W. H. Cook.

Ward Five.
Alfred Lang.
Eli Wentworth.
Albert Drew.

Ward Six.
D. C. Richardson.
John Bailey.
*O. C. Demeritt.
†E. W. Burbank.

*Resigned. †To fill vacancies.

1858.

MAYOR.

JOHN R. ROLLINS.

ALDERMEN.

Ward 1—S. S. Crocker.
Ward 2—Aaron Ordway.
Ward 3—Artemas Harmon.
Ward 4—Amasa Bryant.
Ward 5—C. L. Austin.
Ward 6—N. G. Paul.

COMMON COUNCIL.

W. P. FROST, PRESIDENT.

Ward One.
John M. Currier.
T. S. Winn.
R. R. Harriman.

Ward Two.
J. Q. A. Batchelder.
J. S. Stafford.
John Beetle.

Ward Three.
Terence Brady.
A. S. Wright.
Abiel Morrison.

Ward Four.
Joseph Norris.
Heaton Bailey.
W. P. Frost.

Ward Five.
C. C. Closson.
R. A. Kempton.
L. E. Stevens.

Ward Six.
H. J. Durgin.
David M. Pasho.
William Smith.

1859.

MAYOR.

HENRY K. OLIVER.

ALDERMEN.

Ward 1—E. L. Chapman.
Ward 2—John S. Stafford.
Ward 3—Geo. A. Fuller.
Ward 4—Joseph Norris.
Ward 5—Oliver Bryant.
Ward 6—James D. Herrick.

COMMON COUNCIL.

WM. D. LAMB, PRESIDENT.

Ward One.
Lafayette Branch.
Thomas Scott.
Isaac B. Cobb.

Ward Two.
Hezekiah Plummer.
E. T. Colby.
Wm. D. Lamb.

Ward Three.
A. G. Pearson.
C. T. Briggs.
L. F. Creesy.

Ward Four.
Wm. Thomas.
Lawson Rice.
Allen Wilson,

Ward Five.
Carlos C. Closson.
Rufus Fuller.
Geo. S. Merrill.

Ward Six.
J. Q. A. Burridge.
James Clark.
Alonzo Winkley.

1860.

MAYOR.

DANIEL SAUNDERS, JR.

ALDERMEN.

Ward 1—N. P. H. Melvin.
Ward 2—R. W. French.
Ward 3—N. G. White.
Ward 4—W. H. Bridgman.
Ward 5—John Gale.
Ward 6—Joseph N. Gage.

COMMON COUNCIL.

M. P. MERRILL, PRESIDENT.

Ward One.
Samuel W. Jackson.
Alfred Hall.
Abner Hosmer.

Ward Two.
E. T. Colby.
Geo. Wilkins.
A. M. Fay.

Ward Three.
Wm. Barbour.
A. R. Brewster.
Terence Brady.

Ward Four.
Joseph Stowell.
James Corcoran.
M. P. Merrill.

Ward Five.
Archibald McFarlin.
Rufus Fuller.
Geo. S. Merrill.

Ward Six.
Paschal Abbott.
Alonzo Winkley.
Phil. C. Parsons.

1861.

MAYOR.

JAMES K. BARKER.

ALDERMEN.

Ward 1—Morris Knowles.
Ward 2—H. Plummer.
Ward 3—A. W. Stearns.
Ward 4—Wm. Thomas.
Ward 5—A. McFarlin.
Ward 6—M. C. Andrews.

COMMON COUNCIL.

E. T. COLBY, PRESIDENT.

Ward One.
Samuel W. Jackson.
Alfred Hall.
Oliver Collins.

Ward Two.
Lemuel A. Bishop.
E. T. Colby.
Joseph W. George.

Ward Three.
Joshua Pillsbury, Jr.
James E. Morris.
N. R. French.

Ward Four.
Albert Emerson.
Stevens Dockham.
Philip Yeaton.

Ward Five.
Samuel M. Davis.
Geo. S. Merrill.
Orange Wheeler.

Ward Six.
E. W. Matthews.
Joel Barnes.
George Poor.

1862.

MAYOR.

WM. H. P. WRIGHT.

ALDERMEN.

Ward 1—John C. Hoadley.
Ward 2—Wm. R. Spalding.
Ward 3—S. M. Steadman.
Ward 4—Thos. S. Stratton.
Ward 5—Luther Ladd.
Ward 6—M. C. Andrews.

COMMON COUNCIL.

L. A. BISHOP, PRESIDENT.

Ward One.
Chas. A. Brown.
Reuben Maynard.
E. F. Bailey.

Ward Two.
Lemuel A. Bishop.
John F. Cogswell.
Daniel S. Jordan.

Ward Three.
Joshua Pillsbury, Jr.
Perley Ayer.
J. E. Morris.

Ward Four.
Albert Emerson.
J. D. Boothman.
F. L. Runals.

Ward Five.
Rufus Fuller.
Wm. P. Frost.
Joseph M. Freese.

Ward Six.
Joel Barnes.
E. W. Matthews.
George Poor.

1863.

MAYOR.

WM. H. P. WRIGHT.

ALDERMEN.

Ward 1—James Byrom.
Ward 2—James A. Treat.
Ward 3—J. Pillsbury, Jr.
Ward 4—Albert Emerson.
Ward 5—Sam'l B. Kimball.
Ward 6—J. Q. A. Burridge.

COMMON COUNCIL.

MILTON BONNEY, PRESIDENT.

Ward One.
C. A. Brown.
Reuben Maynard.
Geo. E. Ordway.

Ward Two.
John F. Coggswell.
Franklin Edwards.
Wm. H. Jaquith.

Ward Three.
B. C. Whitcomb.
David Beatty.
J. R. Simpson.

Ward Four.
J. D. Boothman.
A. M. Wade.
J. J. Desmond.

Ward Five.
Frederick Butler.
Milton Bonney.
G. W. Chandler.

Ward Six.
Alonzo Winkley.
Wm. Smith.
Paschal Abbott.

1864.

MAYOR.

ALFRED J. FRENCH.

ALDERMEN.

Ward 1—Morris Knowles.
Ward 2—Milton Bonney.
Ward 3— James Payne.
Ward 4—Wm. Thomas.
Ward 5—Alfred Lang.
Ward 6—J. Q. A. Burrridge.

COMMON COUNCIL.

W. FISK GILE, PRESIDENT.

Ward One.
Abel Webster.
E. L. Chapman.
S. D. Paul.

Ward Two.
W. F. Gile.
F. Edwards.
Isaac Fletcher.

Ward Three.
John Stowe,
Terence Brady.
*B. C. Whitcomb.

Ward Four.
D. S. Swan.
H. J. Couch.
H. Desmond.

Ward Five.
G. W. Chandler.
G. W. Dame.
W. W. Colby.

Ward Six.
Alonzo Winkley.
Wm. Smith.
N. T. Plummer.

1865.

MAYOR.

MILTON BONNEY.

ALDERMEN.

Ward 1—Wm. A. Russell.
Ward 2—Joseph Norris.
Ward 3—James Payne.
Ward 4—Wm. Thomas.
Ward 5—Alfred Lang.
Ward 6—J. Q. A. Burridge.

COMMON COUNCIL.

GEO. S. MERRILL, PRESIDENT.

Ward One.
A. M. Fay.
Melvin Beal.
*A. A. Currier.

Ward Two.
Byron Truell.
*John E. Dustin.
L. Beach, Jr.

Ward Three.
Geo. S. Merrill.
M. N. Howe.
S. W. Knights.

Ward Four.
Thos. H. Fernald.
J. H. Stannard.
Wm. S. Lyford.

Ward Five.
Wm. W. Colby.
G. W. Dame.
J. A. Storer.

Ward Six.
Joel Barnes.
D. T. Richardson.
N. T. Plummer.

*Resigned.

1866.

MAYOR.

PARDON ARMINGTON.

ALDERMEN.

Ward 1—R. R. Harriman.
Ward 2—John Beetle.
Ward 3—J. D. Glidden.
Ward 4—Geo. W. Sargent.
Ward 5—Daniel Hardy.
Ward 6—William Smith.

COMMON COUNCIL.

GEO. S. MERRILL, PRESIDENT.

Ward One.
Alonzo S. Winn.
Lewis Stratton.
R. M. Howard.

Ward Two.
Alanson Briggs.
Edward Devlin,
James H. Eaton.

Ward Three.
Geo. S. Merrill.
Geo. A. Smith.
J. D. Drew.

Ward Four.
Thomas H. Fernald.
Chas. T. Young.
John Bamford.

Ward Five.
James A. Storer.
Albert Blood.
John France.

Ward Six.
J. R. Balloch.
M. A. Bailey.
H. K. Flint.

1867.

MAYOR.

NATHANIEL P. H. MELVIN.

ALDERMEN.

Ward 1—N. Chapman.
Ward 2—G. A. Walton.
Ward 3—J. D. Glidden.
Ward 4—A. Emerson.
Ward 5—S. M. Davis.
Ward 6—Wm. Smith.

COMMON COUNCIL.

JAMES H. EATON, PRESIDENT.

Ward One.
Lewis Stratton.
Fernando C. Drew.
A. F. Colburn.

Ward Two.
James H. Eaton.
Alanson Briggs.
W. L. Thompson.

Ward Three.
Jeremiah D. Drew.
J. C. Bowker.
John Stone.

Ward Four.
George K. Wiggin.
John Kiley.
Wm. Clark.

Ward Five.
John France.
Levi Emery.
George W. Horn.

Ward Six.
Alonzo Winkley.
Caleb Saunders.
James Clark.

1868.

MAYOR.

NATHANIEL P. H. MELVIN.

ALDERMEN.

Ward 1—N. Chapman.
Ward 2—H. Plummer.
Ward 3—A. A. Lamprey.
Ward 4—John Kiley.
Ward 5—S. M. Davis.
Ward 6—Wm. Smith.

COMMON COUNCIL.

JOHN J. DOLAND, PRESIDENT.

Ward One.
Alanson Dixon.
Horatio Dennett.
E. L. Chapman.

Ward Two.
Samuel Langmaid.
Edward Devlin.
M. B. Kenney.

Ward Three.
John J. Doland.
D. C. O'Sullivan.
H. P. Damon.

Ward Four.
John Hart.
William Clark.
H. J. Couch.

Ward Five.
Levi Emery.
A. M. Bodwell.
George Lamb.

Ward Six.
Alonzo Winkley.
Caleb Saunders.
James Clark.

1869.

MAYOR.

FRANK DAVIS.

ALDERMEN.

Ward 1—John R. Rollins.
Ward 2—P. C. Kirk.
Ward 3—James H. Eaton.
Ward 4—G. Littlefield.
Ward 5—Levi Emery.
Ward 6—W. Bailey.

COMMON COUNCIL.

JOHN J. DOLAND, PRESIDENT.

Ward One.
A. A. Currier.
Thos. J. Cate.
W. Eager.

Ward Two.
M. B. Kenney.
S. Langmaid.
S. B. W. Davis.

Ward Three.
J. J. Doland.
D. C. O'Sullivan.
Samuel Gould.

Ward Four.
W. L. Abbott.
James Kiley.
H. J. Couch.

Ward Five.
George Lamb.
Jas. W. Bailey.
Wm. Bower.

Ward Six.
W. Stevens.
M. Manahan.
Caleb Saunders.

GOVERNMENT AND OFFICERS,

1870.

MAYOR.

NATHANIEL P. H. MELVIN.

Salary, $1,000.

ALDERMEN.

Ward 1—MARCUS S. DODGE.
" 2—JOHN R. PERRY.
" 3—JAMES PAYNE.
Ward 4—JOHN HART.
" 5—WILLIAM BOWER.
" 6—ALONZO WINKLEY.

CITY CLERK—GEORGE R. ROWE.

Salary, $1,800.

COMMON COUNCIL.

SMITH B. W. DAVIS, PRESIDENT.

MEMBERS.

Ward 1	T. J. CATE. W. EAGER. W. F. FARNHAM.	Ward 4	H. J. COUCH. PATRICK MURPHY. JAMES KILEY.
Ward 2	S. B. W. DAVIS. A. C. STONE. EDWARD McCOY.	Ward 5	JAS. W. BAILEY. CYRUS WILLIAMS. R. WHEELWRIGHT.
Ward 3	A. S. BUNKER. M. O'SULLIVAN. WM. F. GEARIN.	Ward 6	MARK MANAHAN. F. E. WHEELER. GEO. A. NELSON.

CLERK OF THE COUNCIL—ELBRIDGE G. OSGOOD.

Salary, $100.

CITY MESSENGER—DANIEL FLOYD.

Salary, $1,000.

TREASURER AND COLLECTOR—ROBERT H. TEWKSBURY.

Salary, $2,000.

AUDITOR OF ACCOUNTS—ELBRIDGE B. OSGOOD.

Salary, $700.

CITY SOLICITOR, ——— ———

Salary, $250.

STREET COMMISSIONER—CHASE PHILBRICK.

Salary, $1,200.

LIQUOR AGENT—JAMES CURRAN.

Salary, $700.

OVERSEERS OF THE POOR.

N. P. H. MELVIN, MAYOR, EX-OFFICIO CHAIRMAN.

At Large, { ALDERMAN JAMES PAYNE. " JOHN R. PERRY.

Ward 1—HORATIO DENNETT	Ward 4—JAS. P. BURNHAM.
" 2—GEORGE P. WILSON.	" 5—DAVID SHERMAN.
" 3—JOHN M. HANSON.	" 6—G. P. HIGGINS.

CLERK OF BOARD OF OVERSEERS OF THE POOR—G. P. WILSON.

PAYMASTER, MILITARY RELIEF—ELBRIDGE B. OSGOOD.

Salary, $300.

CITY PHYSICIAN, ——— ———

Salary, $300.

KEEPER OF ALMSHOUSE—HUGH MILLS.

Salary, $600.

ASSESSORS.

MOSES PERKINS. EDWARD P. POOR.
JAMES B. WILDES.

Salary, $500 each. Chairman, $150 additional.

ASSISTANT ASSESSORS.

Ward 1—J. F. MERRIAM.	Ward 4—PATRICK MURPHY.
Ward 2—C. K. PILLSBURY.	Ward 5—A. R. CHANDLER.
Ward 3—D. C. O'SULLIVAN.	Ward 6—G. P. HIGGINS.

Salary, $3.00 a day when employed.

SEALER OF WEIGHTS AND MEASURES—A. S. BUNKER.

(Paid by fees.)

SUPERINTENDENT OF CEMETERY—JOHN L. HUTCHINSON.

Salary, $1,000.

INSPECTOR OF MILK—WILLIAM C. MYRRICK.

Salary, $25.

PUBLIC WEIGHERS.

H. H. BISHOP.	F. L. RUNALS.
H. A. PRESCOTT.	E. R. HAYDEN.
A. S. BUNKER.	E. B. HERRICK.
C. A. BROWN.	JESSE GLOVER.
W. B. HAYDEN.	CHAS. E. HALL.

DANIEL M. SPOONER.

SURVEYORS OF LUMBER.

ALONZO WINKLEY.
WARREN R. FOSTER.
HEZEKIAH PLUMMER.
MATTHEW DOYLE.
A. S. WRIGHT.
WILLIAM BELL.
E. B. HERRICK.
JESSE GLOVER.
W. B. REED.
JAS. P. BURNHAM.

MEASURERS OF BRICK AND STONE.

BALDWIN COOLIDGE. | C. H. LITTLEFIELD.
CHARLES T. EMERSON.

MEASURERS OF PLASTERING AND PAINTING.

BALDWIN COOLIDGE.
A. L. HAMILTON.
C. H. LITTLEFIELD.
MONROE BALDWIN.
C. T. EMERSON.
GEO. LITTLEFIELD.

SEALER OF LEATHER.—SAMUEL M. STEDMAN.

FIELD DRIVERS.

M. S. DODGE.
W. H. SPOFFORD.
LEVI EMERY.
J. S. HILL.
C. E. HALL.
E. O'SULLIVAN.
D. W. PINGREE.
J. S. PIERSON.
WILLIAM KEHOE.
J. A. STORER.

POUND KEEPERS.

WM. H. SPOFFORD. | WILLIAM KEHOE.

FENCE VIEWERS.

BALDWIN COOLIDGE. | LEVI EMERY.
G. W. HORN.

MEASURERS OF WOOD AND BARK.

E. R. HAYDEN.
DANIEL HARDY.
C. H. BEAN.
F. L. RUNALS.
C. PAYSON.
RUFUS REED.
JOHN B. HOWARD.
ALLEN WILSON.
WARREN STEVENS.
A. S. BUNKER.
CHAS. E. HALL.
THOS. F. TUCKER.
JAMES M. WOOD.
R. H. CALL.
JAMES P. BURNHAM.

MEASURERS OF GRAIN.

A. W. GILES. | F. E. WHEELER.
H. K. WEBSTER.

MEASURER OF BRICK AND PLASTERING—T. J. CATE.

MEASURER OF STONE—GEO. W. CHANDLER.

TRUANT OFFICERS.

C. T. CHAMBERLAIN. | JAMES E. SHEPARD.
DAVID BEATTY.

UNDERTAKERS.

J. H. REYNOLDS. | JOHN BREEN.
JOHN J. MAHONEY.

CITY MARSHAL—JAMES E. SHEPARD.

ASSISTANT CITY MARSHALS.

DAVID BEATTY. | A. G. CLARK.

CONSTABLES.

JAMES E. SHEPARD. | A. G. CLARK.
DAVID BEATTY. | JOSEPH H. KEYES.

NIGHT WATCH.

EDWIN SMALL.	JONAS STOTT.
JAMES A. QUIN.	PHILO B. VANDYKE.
MOULTON BATCHELDER.	PATRICK MURPHY.
JOHN DUNN.	ALBERT P. INGALLS.
WILLIAM W. FISHER.	WILLIAM BASTIAN.
JAMES T. O'SULLIVAN.	CHAS. G. MERRILL.
WILLIAM H. SPOFFORD.	JOHN SHEEHAN.
GERMAN LYONS.	MICHAEL MALLEY.

Receive $2.25 per night.

CHIEF ENGINEER—GEORGE K. WIGGIN.

Salary, $300.

ASSISTANT ENGINEERS.

HENRY B. THOMPSON.	DAVID L. ANNAN.
MONROE BALDWIN.	RICHARD WORSWICK.

EDWIN AYER, CLERK.

Salary, $75 each. Clerk, $25 additional.